



ABSOLUTE FREEDOM

An Interdisciplinary Study

Paul Gordon



Absolute Freedom: An Interdisciplinary Study

By Paul Gordon



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Introduction

ABSOLUTE FREEDOM

I began this book after years of stumbling over the fundamental question of freedom in my writing, as well as in my teaching. Although many would immediately answer this question in political terms, that context, while of obvious importance (see Chapter 6), is far from the only one and, moreover, raises more questions than it answers, for example, Is one really free in a “free society”? And while, at a more personal level, many think that freedom is merely doing whatever one likes, most would agree that being able to do so for even a limited amount of time leaves one feeling more and more un-free. And so, while such commonplace notions of freedom are relevant and, as such, will all be considered here (including the notorious “free will” debate), the fundamental question of freedom eludes those simple and questionable forms of a freedom that is, one might say, free from those more recognizable definitions.

Because this question is so large and encompasses so many topics, disciplines, and areas of research I feel justified in approaching freedom from my own particular position as a professor in the “liberal (sc. free) arts” with a degree in comparative literature, which is basically the one field within the humanities which requires that one look at issues outside of the boundaries of any particular language or discipline—it is, by most accounts, the freest of all the liberal arts programs.¹ As the arts play a central role in comparative literature in particular, and in the liberal arts in general, Part I of this book gives particular attention to freedom as a Kantian “aesthetic idea”² that informs philosophical discussions of freedom in Kant, Schelling, Nietzsche, Sartre, Camus, and Isaiah Berlin, who coined the term (but not the idea) of “positive freedom.” In Part II of

1 See the many essays by René Wellek on the nature of comparative literature discussed in my essay on “Romanticism, Figuration and Comparative Literature” (*Neohelicon* XV, vol. 2 (1988)).

2 By “aesthetic ideas” Kant is referring (#49, *Critique of Judgment*) to metaphors and other forms of figuration that refer to things that cannot be understood literally, freedom being one such notion.

this work, I take up the more practical application of this notion to what I refer to as the various “zones” of positive freedom such as academia (“academic freedom”), religion (“religious freedom”), art (“artistic freedom”), “free speech,” “friendship” (etymologically related to freedom) and, of course, “political freedom.” If Kant is seen as providing the theoretical underpinnings of this work on freedom, it is because, as Hannah Arendt states in “What is Freedom,”

The greatest clarification of these obscure matters we owe to Kant and to his insight that freedom is no more ascertainable to the inner sense and within the field of inner experience than it is to the senses with which we know and understand the world.³

My two previous works brought me to this book on freedom. In *Art as the Absolute: Art's Relation to Metaphysics in Kant, Fichte, Schelling, Hegel, and Schopenhauer*⁴, I developed Kant's revolutionary idea—which has never been adequately appreciated—of art as free from both conceptual as well as everyday reality. Kant's notion of the aesthetic is every bit as revolutionary as Magritte's emblematic painting in which the artist declared that the object seen in painting or, for that matter, any work of art, is not the object seen—“Ceci n'est pas une pipe,”⁵ for it is only in a “disinterested” state of contemplation in which the mind wanders freely about our everyday, static reality that the truth of art exists. From Kant and the other Idealists who followed (and, in this respect I would include Heidegger) I found confirmation of art's relation to an absolute that is more commonly relegated to either religion or, in secular terms, metaphysics. Freedom is to be found, I argued, in all great works of art, but what about freedom itself? Because Kant clearly relates the freedom of art to freedom in general I began to consider other ways that freedom and the absolute manifest themselves.

Immediately after completing *Art as the Absolute*, I began to explore synaesthesia as one of those other ways that freedom and the absolute manifest themselves. In *Synaesthetics* I explored the relation between the well-known neurological phenomenon of sensory “cross-overs” to argue for art as “synaesthetic” in its very essence, beginning with the combination of disparate senses and ideas in *metaphor* and including the curious status of “fiction”

3 *What Is Freedom?* Collected in *Between Past and Future* (New York: Penguin, 1977 (first published, 1954)), p. 144.

4 Bloomsbury Press, *Literature and Philosophy* series, 2015.

5 See Foucault brilliant discussion of Magritte in *This Is Not a Pipe* (Berkeley: University of California Press, 1982).

in its relation to everyday reality; the relation of word to image in poetry; painting's relation to music; music's relation to words; etc. To be sure, art is not synaesthesia proper, but I argued that because we are all born with synaesthesia⁶ there is a persistence of this tendency to unify that underlies the pleasure we derive from all art. While this idea emerged from my previous argument for art as the "absolute," it also led to my current work on freedom as our uniquely human need to transcend all boundaries in the name of something greater, something absolute.

It is this latter notion that distinguishes "positive freedom" from its everyday counterpart, "negative freedom." As mentioned, I owe this term to an essay written by Isaiah Berlin (1958) which I discuss more fully in Chapter 1. Although the idea had precursors as far back as ancient Greece, Berlin relates this notion to the Idealist tradition begun by Kant, where the "modern" notion of freedom flourished: "The true conception of freedom was lacking in all modern systems, that of Leibniz as well as that of Spinoza, until the discovery of Idealism" (Schelling⁷). While Berlin himself ultimately rejects positive freedom as well as the philosophers who view it more "positively," I have included in this work several of the philosophers Berlin attacks in arguing that positive freedom provides a necessary counterpart to our more usual, negative conception of same.

Freedom *from* is not the same as freedom *for*. The former is merely negative and shallow, leading rather quickly to the unhappiness of not knowing what to do now that we have to do nothing. Positive freedom, on the other hand, is not only freedom from previous truths but also it replaces those with something greater that is worth striving *for*. (Camus' Sisyphus looms large in this work as representative of the burdens which necessarily accompany such freedom.) Freedom fighters like Sophie Scholl who, with other members of the "White Rose" group, died fighting the Nazis, for example, give their lives fighting for a better way of life. Artists like Picasso struggle daily to create something greater than anything they or anyone else painted before. Students and scholars at a college or university (early levels of education are decidedly less free) pursue the "best that has been thought or said" without concern for any practical concern other than bettering themselves and others. Those on board the Mayflower risked their lives not only to flee persecution but also to live according to what they perceived to be their higher calling. Beethoven did

6 *Synaesthetics*, p. 5.

7 *Philosophical Inquiries into the Nature of Human Freedom*, tr. Gutmann (La Salle: Open Court, 1992), p. 17.

not reject his classical predecessors but created new forms in order to free mankind to experience, as he did, something absolute.⁸ And, finally, when Thelma and Louise drove their car into the Grand Canyon it was not merely to escape those pursuing them but, more importantly, to continue to live as friends forever.

In the end, what I learned in examining the question of freedom from all these perspectives and contexts was surprising, and I hope the reader will find it surprising as well. For real freedom, it turns out, is something quite different from our more commonplace notions of what such an essential idea entails. Freedom is our uniquely human link to an absolute Truth that exists before (or after) whatever we define that truth to be and which we must be free in order to pursue. Although it may seem heretical to say so, *real freedom has little to do with the individual freedom with which it is wrongly confused*.⁹ If one is doing something for oneself as opposed to what one believes is great and good for everyone, then the happiness gained is merely fleeting, while real freedom demands a certain selflessness in order to experience something absolute.

If this notion of absolute freedom seems hopelessly abstract and useless in our everyday lives, that is precisely the point. For it is not in the “real world” where real freedom exists, which is why the perennial debates about so-called “free will” are doomed at the outset by their attempt to reconcile these two incompatible realities. But if one were to reject the “freedom of freedom” as useless one would also have to reject a great number of things—art, religion, philosophy, higher education, etc.—whose value lies precisely in their so-called “uselessness”—which Kant, in his 3rd *Critique*, declared to be the fundamental principle of all art.¹⁰ What I have come to realize in writing this book is that our

8 “Music is the one incorporeal entrance into the higher world of knowledge which comprehends mankind but which mankind cannot comprehend.” W. N. Sullivan, *Beethoven: His Spiritual Development* (Alfred A. Knopf, 1927), pp. 3–4.

9 Individual freedom is not only espoused by individuals but by many respected scholars, such as Milton Freedman (*Capitalism and Freedom*).

10 I disagree with Arendt, who argued that it is not freedom which informs art much as it is art that informs freedom:

Hence the element of freedom, certainly present in the creative arts, remains hidden; it is not the free creative process which finally appears and matters for the world, but the work of art itself, the end product of the process. The performing arts, on the contrary, have indeed a strong affinity with politics. Performing artists—dancers, play-actors, musicians, and the like—need an audience to shout their virtuosity, just as acting men need the presence of others before whom they can appear; both need a publicly organized space for their “work,” and both depend upon others for the performance itself. (“What is Freedom,” p.154)

very essence as human beings is defined by such freedom, and by those greater truths that are synonymous with what makes life most worth living:

[...] thus from the first Nature has implanted in our souls an unconquerable passion for all that is great and for all that is more divine than ourselves. For this reason the entire universe does not satisfy the contemplation and thought that lie within the scope of human endeavor; our ideas often go beyond the boundaries by which we are circumscribed, and if we look at life from all sides, observing how in everything that concerns us the extraordinary, the great, and the beautiful play the leading part, we shall soon realize the purpose of our creation. (Longinus, *On the Sublime*¹¹)

Addendum: To mask or not to mask? Having written the first draft of this book about freedom shortly before the Covid-19 pandemic began to make its presence felt in the early Spring of 2020, my only thoughts about the relevance of an academic study of the idea of freedom to contemporary events was to the alarming rise in authoritarianism here and abroad. Although that movement, which some might consider a kind of pandemic in itself, included some odd references to freedom (a claim often made by authoritarian governments but rarely taken seriously), little did I know that such references to freedom—or, more specifically, to the threat of losing one’s freedom—would become commonplace when democratic governments began to mandate the wearing of facial coverings and to urge their surprisingly recalcitrant citizenry to get a vaccination which had been shown to be remarkably effective in preventing the spread of the virus. That many of the same folks who had earlier embraced totalitarianism now rejected their democratic governments’ attempts to eradicate a devastating virus as itself a totalitarian abuse of their freedom might be easily dismissed as patently absurd. But the fact that “freedom” as a rallying cry of the unmasked and the unvaccinated has itself reached epidemic—one might even say pandemic—proportions makes this examination of freedom even more relevant than before.

As evidence of the ubiquitous referencing of freedom by the anti-mask, anti-vax movement, here is an image from my local newspaper that appeared just yesterday:

11 *Classical Literary Criticism*, tr. Dorsch (New York: Penguin, 1984), chapter 35, p. 146.



Such images and actions are, as mentioned, commonplace, although this one has the particular charm of parents who have enlisted their children to aid in their increasingly violent crusade. Indeed, the “anti-” movement accelerated greatly when schools began reopening in the Fall of 2021 only to have mask mandates imposed by many school boards who were understandably alarmed by the rise of a Covid-19 variant that had grown so effective that it was also infecting young people and even children. Just today (August 25, 2021) there are reports of a number of school closings in regions where the resistance to vaccinations and masking is greatest—something that should (but won’t) give the anti-vaxers pause on two grounds, namely, that masking and vaccinations are clearly related to the health of oneself and one’s community and so not an example of “governmental overreach,” and, second, that the anti-vaxers defense of freedom has resulted in the lack of an education that most would consider essential to freedom (“knowledge = freedom”).

But I find this image particularly interesting because of its invocation of 1776, when the colonists declared their opposition to Great Britain (the “Declaration of Independence”). The notion that the founders of our country, which was born out of the Enlightenment values shared by many of its leading figures, would have defended the freedom to infect oneself and others is as ridiculous as the notion that these same “enlightened” figures would have defended the equally devastating proliferation of lethal weaponry.

In his *Letter on Tolerance*, which is discussed more fully in the chapter on “Political Freedom?” John Locke makes it perfectly clear that his defense of such freedoms as those of speech and religion, which was later incorporated into our Constitution, was never meant to include the freedom to do anything that would *directly* harm the government or other people. Freedom is indeed sacrosanct, but as countless rules and laws demonstrate, it does not and should not include the “freedom” to harm others; a student does not have the right, for example, to attend school when ill, and an individual who disagrees with a democratically elected government has the right to protest but not to harm the government directly. The cardinal principle of medicine, that one must “do no harm,” applies equally to the principle of a government’s actions as well to the citizenry it is duty-bound to protect. Just as the promise of freedom made by authoritarianism leads, ultimately, to its total loss, the “freedom” not to mask/vaccinate is ultimately not about freedom but its loss.

Events of the past few years have demonstrated that a closer examination of freedom is more than merely academic. A greater understanding of the critical distinction between negative and positive freedom (Chapter 1) makes quick work of the current confusion between the freedom to do “whatever one wants” and the freedom to act according to the highest good: “We cannot remain absolutely free, and must give up some of our liberty to preserve the rest” (Berlin, p. 6). Plato maintained that the freedom to do whatever one likes leads to wantonness and, more recently, Gerald MacCallum “understands freedom as a triadic relation which includes a positive goal.”¹² It is the failure to recognize the difference between these two freedoms that leads some individuals, and even some governments, to act with total disregard of the rights of others and, indeed, of truth itself in the spurious name of freedom.

12 Fred Miller Jr., “Platonic Freedom,” *OHF*, p. 144.

Part I

THE IDEA OF FREEDOM

Chapter 1

ON BERLIN'S "TWO CONCEPTS OF LIBERTY"

In an unusually comic moment in a novel not known for its humor, Victor Frankenstein, who has finally achieved his goal of creating human life, runs from his laboratory in hopes that, when he returns, the monster that he has created will be gone:

Unable to endure the aspect of the being I had created, I rushed out of the room, and continued a long time traversing my bedchamber, unable to compose my mind to sleep. At length lassitude succeeded to the tumult I had before endured. [...] I started from my sleep with horror; a cold dew covered my forehead, my teeth chattered, and every limb became convulsed when, by the dim and yellow light of the moon [...] I beheld the wretch—the miserable monster I had created.¹

My reason for beginning with this seemingly irrelevant reference is that, toward the end of his famous essay in which the distinguished Russian/British philosopher Isaiah Berlin created the term, but not the notion, of “positive” as opposed to “negative” freedom, the author turns against his own “monstrous” idea:

Pluralism, with the measure of “negative” liberty that it entails, seems to me a truer and more humane ideal than the goals of those who seek in the great, disciplined, authoritarian structures the ideal of “positive” self mastery by classes, or peoples, or the whole of mankind. It is truer, because it does, at least, recognize the fact that human goals are many, not all of them commensurable, and in perpetual rivalry with one another.²

1 New York: St. Martin's Press, 1992 (based on the 1831 edition), p. 58.

2 Isaiah Berlin, “Two Concepts of Liberty,” *Four Essays on Liberty* (Oxford, England: Oxford University Press, 1969, p. 30). The essay was first delivered in 1958, when Berlin became Oxford's Chichele Professor of Social and Political Thought. My pagination corresponds to the online version found at http://cactus.dixie.edu/green/B_Readings/I_Berlin%20Two%20Concepts%20of%20Liberty.pdf.

Indeed, the parallels with Mary Shelley's protagonist go further, for both Victor Frankenstein and Isaiah Berlin finally acknowledge the limits of our "all-too-human" understanding and relinquish their more divine aspirations of discovering the ultimate truth of things. The purpose of this chapter is thus threefold: first, to understand the rather murky idea of "positive freedom"; second, to understand why Berlin turns against his own notion; and, finally, to argue that his disappointing retreat from absolute freedom into "pluralism" is hardly warranted.³

* * * * *

One can easily grasp Berlin's notion of "negative freedom," for it is largely the unproblematic idea of being freed *from* something. Our founders' "Declaration of Independence" from England was just such a notion, as is freedom from self-incrimination, unwarranted "search and seizure," and, more commonly, freedom from one's job over the weekend or during a restful vacation. If I swat the fly that is buzzing around me, I am, at least momentarily, freed from its disturbance. More generally, but still "negatively," I am similarly freed from things that "coerce" or "invade" my right not to be bothered by such things:

Jefferson, 160, Paine, Mill, compiled different catalogues of individual liberties, but the argument for keeping authority at bay is always substantially the same. We must preserve a minimum area of personal freedom if we are not to "degrade or deny our nature." (p. 6)

While the notion of "negative freedom" may be relatively unproblematic, "positive freedom" is not, for while being freed from disturbances can often

3 Many have noted problems in Berlin's famous and influential notion (Isaiah Berlin's essay: "Two Concepts of Liberty" <is> [...] a staple of how we understand early modern thinking about freedom," Ryan Hanley, "Freedom and the Enlightenment," in *The Oxford Handbook of Freedom*, ed. Schmidtz/Pavel (Oxford: Oxford University Press, 2018, p. 223). For example, that there may be other kinds of freedom than just "positive" and "negative," and that "Berlin's view of Rousseau as one of the "grands simplificateurs" "gained in rhetorical force by engaging in a certain amount of simplification itself" (Alan Ryan, "Isaiah Berlin: Contested Conceptions of Liberty and Liberalism," in *The Cambridge Companion to Isaiah Berlin*, ed. Cherniss/Smith (New York, NY: Cambridge University Press, 2018, p. 216). Moreover, I am not the first to question Berlin's negative view of positive freedom; see Ryan Hanley's excellent essay just mentioned. Finally, with regard to the lecture/essay's historical context, Alan Ryan (see note 2) notes: "I am not concerned with the question whether Berlin was a 'cold war liberal', since I take it for granted that he was." *OHF*, p. 224.

facilitate access to positive freedom, this is not always the case and, moreover, is often not the case, as Berlin states when he rebukes John Stuart Mill for equating the two:

In his <Mill's> famous essay "On Liberty" he declares that, unless men are left to live as they wish "in the path which merely concerns themselves" civilization cannot advance; the truth will not, for lack of a free market in ideas, come to light; there will be no scope for spontaneity, originality, genius, for mental energy, for moral courage [...] <however> Mill's argument for liberty as a necessary condition for the growth of human genius falls to the ground. (pp. 6–7)

Although Berlin only explicitly rejects positive freedom at the conclusion of his speech, the seeds of his final "declaration of independence," as it were, from the so-called dangers of positive freedom were sown throughout the essay, as evident here in his insistence that positive freedom, like the freedom of the mind to create new ideas ("genius"), can sometimes flourish in the most oppressive situations—such as imprisonment—or governments—such as totalitarian systems like the PRC or the former Soviet Union. But, as it turns out, it is not only that positive freedom *can* exist alongside such forms of oppression which troubles Berlin and leads to his rejection. It is that it *must* exist alongside such forms of oppression. That is to say, because positive freedom entails a certain claim to absolute freedom, it will lead, in all likelihood, to its own kind of oppression:

For it is this—the "positive" *conception* of liberty: not freedom from, but freedom to—to lead one prescribed form of life—which the adherents of the "negative" notion represent as being, at times, no better than a specious disguise for brutal tyranny. (p. 7)

Before considering this negative view of positive freedom, we will attempt to understand better what the latter notion entails.

While the notion of positive freedom is more difficult to understand than its negative counterpart, many refer to Berlin's notion of "self-mastery" as key: "The 'positive' sense of the word 'liberty' derives from the wish on the part of the individual to be his own master" (p. 8). This clarifying notion, however, is far less clear and far more paradoxical than it might seem. For, if one were to master oneself, who or what would be the new master? And, if one tries to avoid this paradox by simply asserting that the subject demonstrates positive freedom when it makes its own rules, its own laws, rather than following or obeying those of another, an explanation is needed to understand how

this is even possible. And, finally, even though he does not say so at this early point in his essay, this notion of “self-mastery” is one of those “seeds” that will lead, in the end, to Berlin’s rejection of positive freedom as mastery of not only oneself but of others.

“I wish to be a subject, not an object [...] to be moved by reasons, by conscious purposes, which are my own, not by causes which affect me, as it were, from outside. [...] This is at least part of what I mean when I say that I am rational, and that it is my reason that distinguishes me as a human being from the rest of the world. I wish, above all, to be conscious of myself as a thinking, willing, active being, bearing responsibility for my choices and able to explain them by references to my own ideas and purposes” (p. 8). As Kant similarly argued,⁴ only human beings are capable of freedom because only human beings have the capacity of reason (*Vernunft* versus *Verstand*), which for Kant meant the capacity to think about the underlying causes of things (“metaphysics”) as opposed to our more immediate perceptions of the readily apparent but ultimately unsustainable knowledge of “objective reality.” In other words, for Kant, freedom belongs with other ultimately unknowable but still thinkable⁵ notions like God and, in more secular terms, the Absolute as part of our capacity to think—or more properly, reason—about things that are outside the realm of knowledge proper (*Verstand*) in thinking *about* the reasons *behind* things as opposed to the (empirical) things themselves.

If this is what is entailed by reason’s “self-mastery” and the “positive freedom” it entails, then, in answer to the paradox of “self-mastery,” there is no real “self” because there is no real anything, and so the danger of such thought leading back to the “I” and to the oppression of others is small, if it exists at all. Certainly such freedom can be abused, but there is nothing great that cannot be perverted, as happens all too often with religion, another form of “positive freedom.”⁶ And, finally, if such “free thinking” seems utterly vacuous and, for that reason as well, leading to Berlin’s more empirical, pluralistic solution, one should remember that Kant, like Berlin, equated this use of our freedom to master ourselves, to make our own rules rather than following those of others, with morality as well as with the artistic genius who creates a work that embodies this freedom without ever having to define or objectify it.

4 See Chapter 2, “The Reason for Freedom.”

5 “We cannot know, <yet> we can think things-in-themselves.” *The Critique of Pure Reason*, tr. N. K. Smith (New York: St. Martin’s Press, 1965), p. 27.

6 See Chapter 6, “Political Freedom?”

It is this failure to understand any of the numerous "zones" of positive freedom, such as religion, art, and higher education,⁷ in lieu of a preoccupation with the political implications of positive freedom that leads to Berlin's ultimate rejection of the idea. As I argue in the chapter on so-called political freedom, it is best viewed as freedom *from* the political, which is why, in all the aforementioned zones, and as understood by the founders of the American political system, the solution to the problem that Berlin foresees is not really a solution but, rather, the complete *separation* of negative and positive freedom, which means the complete separation of "church and state" as well as of the other zones mentioned. Whether or not Berlin's sole focus on the dangers of "political positive freedom" is warranted or not is debatable, but what is not debatable is that Berlin's rejection of positive freedom in general is a thinly veiled rejection of political positive freedom in particular.

However, Berlin's rejection of other forms of positive freedom is not as thinly veiled as all that. In his discussion of "The Retreat to the Inner Citadel" (Section III), Berlin adduces a hypothetical example of apolitical positive freedom:

The tyrant threatens me with the destruction of my property, with imprisonment, with the exile or death of those I love. But if I no longer feel attached to property, no longer care whether or not I am in prison, if I have killed within myself my natural affections, then he cannot bend me to his will, for all that is left of myself is no longer subject to empirical fears or desires. (p. 10)

The reference by a British philosopher to anything "empirical" is hardly innocent, and this is confirmed by continuing with numerous references to the "anti-empiricist" Kant:

It is as if I had performed a strategic retreat into an inner citadel—my reason, my soul, my "noumenal" self—which, do what they may, neither external blind force, nor human malice, can touch. [...] All political isolationism, all economic autarky, every form of autonomy, has in it some element of this attitude. (pp. 10–11, underlining mine)

Kant's free individual is a transcendent being, beyond the realm of natural causality [...] In this form, the doctrine may seem primarily an ethical creed, and scarcely political at all; nevertheless, its political implications are clear, and it enters into the tradition of liberal individualism at least as deeply as the "negative" concept of freedom. (p. 12)

7 See Chapter 5, "Academic Freedom."

The problem with Berlin's polarization of what he sees as the positive freedom of the "noumenal soul" versus the "empirical world" is that it fails to account for any middle ground, a middle ground which, again, can be achieved after the Kantian separation of noumenon from phenomenon. Moreover, Berlin's damning view of the apolitical is clear: "Ascetic self-denial may be a source of integrity or serenity and spiritual strength, but it is difficult to see how it can be called an enlargement of liberty (p. 13)." Tell that, not only to the many who have achieved some degree of positive freedom through "ascetic self-denial," but to all the artists, students of the "liberal arts," and truth-seekers in general whose self-denial has led to the greatest—we call them "eternal" for a reason—cultural achievements. Then Berlin's "inner citadel" of spiritual freedom, which is replete with artists, scholars, thinkers, students, and saints of all kinds, looks less like a dreary castle and more like most colleges and universities.⁸ And, even if one were to grant Berlin's quantitative as well as qualitative dismissal of positive freedom as relevant only to "a small minority of highly civilized and self-conscious human beings" (p. 24), how does that become any kind of argument against the merely relative paucity of great women and men?

While it might seem that, in defending positive freedom against Berlin's implicit and, finally, explicit attacks, I would also defend the notion against Berlin's identification of the notion with death:

The logical culmination of the process of destroying everything through which I can possibly be wounded is suicide. While I exist in the natural world, I can never be wholly secure. Total liberation in this sense (as Schopenhauer correctly perceived) is conferred only by death. (p. 13)

[...] "self-mastery," when properly understood as the paradox discussed above, is indeed a kind of death; how could it be otherwise? To pursue the Absolute, as positive freedom is in all its various manifestations, whether, for example, religion or art, requires a disavowal of the ordinary in lieu of the extraordinary. As Jesus said, "those who would save their life must lose it," and, as Maurice Blanchot has eloquently written about Kafka,⁹ all true art transcends the ordinary, transcends what has already been done, in order to express, in Schelling's succinct formulation, "the infinite finitely displayed."¹⁰

⁸ See Chapter 5.

⁹ *De Kafka à Kafka* (Paris: Gallimard, 1981).

¹⁰ *The System of Transcendental Idealism* (1800), tr. Heath (Charlottesville: University of Virginia Press, 1978), p. 226.

Positive freedom IS death, but, as Nietzsche maintained with regard to tragedy, it is a divine death that leads to rebirth, whether that of Jesus or of his "pagan" predecessor Dionysus.

Much like the philosopher Aristotle, who wrote the first great work of literary criticism while, at the same time, devaluing art in lieu of more serious matters, and who elevated metaphor as "the greatest poetic gift" while limiting its importance relative to the all-important causal "plot," Berlin too seems to acknowledge the identification of art with positive freedom while, at the same time, denouncing it:

For the musician, after he has assimilated the pattern of the composer's score, and has made the composer's ends his own, the playing of the music is not obedience to external laws; a compulsion and a barrier to liberty; but a free unimpeded exercise. The player is not bound to the score as an ox to the plough, or a factory worker to the machine. He has absorbed the score into his own system, has by understanding it, identified it with himself, has changed it from an impediment to free activity into an element in that activity itself. (p. 14)

There is, indeed, a tremendous amount of work required in order for the artist, in this case the musician, to realize the fruit of all his labor in creating something new that transcends mere technique. But, rather than acknowledging this critical difference, Berlin insists that it is the "obedience to external laws" that matters more than the "leap" that turns mere technique into genius: "To want necessary laws to be other than they are is to be prey to an irrational. desire—a desire that what must be X should also be not X" (p. 15). However, when it comes to matters of positive freedom such as art, "X *should* also be not X," as, for example, in the all-important "gift of metaphor" just mentioned, where, according to Aristotle, A should also not be A.

"The Temple of Sarastro" (Section V). It is the very nature of liberalism to be under attack, as it has been ever since its inception,¹¹ but the current rise in oligarchism and totalitarianism has elevated the debate to new levels. Freedom of the press, which is another zone of positive freedom discussed elsewhere in this work,¹² is now engaged in a life-and-death

11 Anticipations of both liberalism and the debate against it can be found, for example, throughout the works of Molière, among others.

12 See Chapter 7.

struggle even in democracies where it is essential, and so it is strange to learn that Berlin associates liberalism with the very totalitarianism that is its enemy:

Those who believed in freedom as rational self-direction were bound, sooner or later, to consider how this was to be applied not merely to a man's inner life, but to his relations with other members of his society [...] I wish to be free to live as my rational will (my real self) commands, but so must others be. How am I to avoid collisions with their wills? Where is the frontier that lies between my (rationally determined) rights and the identical rights of others? (p. 16)

[...] Rousseau tells me that if I freely surrender all the parts of my life to society, I create an entity which, because it has been built by an equality of sacrifice of all its members, cannot wish to hurt any one of them; in such a society, we are informed, it can be nobody's interest to damage anyone else. "In giving myself to all, I give myself to none," and <I> get back as much as I lose, with enough new force to preserve my new gains. Kant tells us that when "the individual has entirely abandoned his wild, lawless freedom, to find it again, unimpaired, in a state of dependence according to law," that alone is true freedom, "for this dependence is the work of my own will acting as a lawgiver" [...] all forms of liberalism founded on a rationalist metaphysics are less or more watered-down versions of this creed. (pp. 17–18)

Perhaps Berlin should have hesitated before making enemies of philosophers like Kant, Rousseau, and, elsewhere in the essay, Fichte,¹³ all in the same breath. Be that as it may, Berlin's attack on the notion of the "all" over that of the "many," which is tantamount to a very tired old attack on "metaphysics," is far more dangerous than the threat that the will of the many will be squashed by the higher truth of the few. Absolute freedom, whether it is freedom of the press, freedom of religion, freedom of thought, or "artistic freedom," is far less likely to impinge upon the freedom of the few than is the rejection of liberalism in favor of the limited, negative freedoms of pluralism. Indeed, it is precisely Plato's notion of an ideal Republic without art and other forms of positive freedom that has led some to see it as more conservative, and even totalitarian, than liberal. The real solution to the problem Berlin sees between the "liberalism founded on a rationalist metaphysics" and pluralism is to

13 Although it follows along the same lines as his denunciation of Kant and Rousseau, I discuss Berlin's frequent reference to Fichte's notion of freedom more fully later in this work (Chapter 3).

acknowledge that real pluralism must include the very liberalism that Berlin's pluralism decries. This is achieved, again, by the kind of separation of the various zones of positive freedom from the more practical concerns of everyday life and the "real politics" that are its concern. *That* is pluralism, not the false pluralism of a retreat from the kind of liberalism that allows for the incessant questioning of everything, including liberalism itself.

As in the preceding section on "The Inner Citadel," here Berlin again uses the metaphor of an "inner sanctum" (in this case, the reference is to Mozart's *Magic Flute*) to refer to the separation of the enlightened few from the motley masses:

The reason within me, if it is to triumph, must eliminate and suppress my "lower" instincts, my passions and desires, which render me a slave; similarly (the fatal transition from individual to social concepts is almost imperceptible) the higher elements in society—the better educated, the more rational, those who "possess the highest insight of their time and people"—may exercise compulsion to rationalize the irrational section of society. For—so Hegel, Bradley, Bosanquet have often assured us—by obeying the rational man we obey ourselves: not indeed as we are, sunk in our ignorance and our passions, weak creatures afflicted by diseases that need a healer, wards who require a guardian, but as we could be if we were rational; as we could be even now, if only we would listen to the rational element which is, *ex hypothesi*, within every human being who deserves the name. [...] This is the argument used by every dictator, inquisitor, and bully who seeks some moral; or even aesthetic, justification for his conduct. I must do for men (or with them) what they cannot do for themselves, and I cannot ask their permission or consent, because they are in no condition to know what is best for them. [...] Kant may protest that the essence of the subject's freedom is that he, and he alone, has given himself the order to obey. But this is a counsel of perfection. If you fail to discipline yourself, I must do so for you; and you cannot complain of lack of freedom, for the fact that Kant's rational judge has sent you to prison is evidence that you have not listened to your own inner reason, that, like a child, a savage, an idiot, you are not ripe for self-direction or permanently incapable of it. (pp. 18–19)

Berlin believes that one's own hallowed belief in higher principles and perfection ("Sarastro's temple") must reject and oppose conflicting views. Oppose, perhaps; reject or eliminate, no. Moreover, Berlin believes that "despite the fact that it rules the lives of more men than ever before in its long history, not one of the basic assumptions of this < liberal humanism's >

famous view is demonstrable, or, perhaps, even true.” In other words, because the tenets of “liberal humanism” in particular and positive freedom in general are no more factual than, say, ineffable freedom, religion, or any work of art, such freedoms are not only dangerous but, moreover, useless. Yet, if there is any “fact” here it is that all such higher principles, principles of morality, art, etc., are more, not less, important because they are not mere facts:

To this <non-factual> world belongs everything about which civilized man cares most. I need only instance ethics, metaphysics, morals, religion, aesthetics, and the discussions surrounding liberty, nationality, justice, love, truth, faith and knowledge to make this plain.¹⁴

However, the question does arise: Even if one accepts the “middle ground” of a separation between society—which is governed by numerous rules and laws that both facilitate as well as aggravate “negative freedom”—and the pursuit of higher truths according to one’s own rules (“positive freedom”), and even if one also accepts, as one must, the need for both entities and the different freedoms they entail, how is one to accommodate, if not integrate, these two different spheres of activity? Although Berlin sees this tension as qualifying, if not destroying, the validity of positive freedom, his own argument for the need of individuals, including the aforementioned seekers of absolute truth, to be recognized by society provides a different solution to this dilemma.

“The Search for Status” (Section VI). In arguing that those who pursue positive freedom “do not allow for the variety of basic human needs. Nor yet for the ingenuity with which men can prove to their own satisfaction that the road to one ideal also leads to its contrary” (p. 24), Berlin again ignores the possibility of a middle ground which unites these two “contraries,” namely that those who use their positive freedom to pursue the highest truths and become, in a sense, their own gods, be they philosophers or artists, also crave the kind of “status” that Berlin thinks precludes them. As Kant argued in his *Critique* on aesthetics, the experience of beauty and/or sublimity, whether by the artist herself or by her audience, is a “subjective universal” which must, by definition, appeal to others. It is therefore wrong to argue that artists, for example, however indifferent they may seem to public recognition, are not ultimately the “universality” which, while not part of society’s everyday consciousness, is part of something deeper that unites all mankind.

14 I. A. Richards, *Practical Criticism* (New York: Harcourt, Brace, Jovanovich, 1929), p. 5.

It is hard not to think of Dostoyevski's "underground man" when reading Berlin's discussion of the search for status as somehow undercutting one's so-called freedom. For in his "groundbreaking" work (pun intended), Dostoyevski makes it clear that the absolute freedom sought by the "highest types," such as the underground man claims himself to be, is part of, as well as separate from, the craving to be accepted by others. The tension and, indeed, the suffering caused by these two "contraries" is not to be assuaged by any sort of reconciliation other than that of the necessary coexistence, the doubling, of these opposites for the betterment, ultimately, of the very society that condemns it. *Pace* Berlin, the world would definitely *not* be a better place without the petulant whining of Dostoyevski's obnoxious genius.

I suspect that Berlin overstates things when, in arguing against such an accommodation, he says that, in the wake of the French Revolution, "The liberals of the first half of the nineteenth century correctly foresaw that liberty in this 'positive' sense could easily destroy too many of the 'negative' liberties that they held sacred" (p. 25), thereby suggesting that the pursuit of positive freedom contradicts itself in "destroying" the very "liberties that it held sacred." Tell that to the college student who labors alone for long hours in the library, or to the artist who slavishly devotes him/herself to perfecting technique, or to the religious thinker who forsakes all creature comforts in hope of discovering something better. For Berlin, the pursuit of such "higher truths" is vitiated, rather than elevated, by its "enslavement" to the higher good: "If I sell myself into slavery, am I the less a slave? If I commit suicide, am I the less dead because I have taken my own life freely?" (p. 26). The artist is indeed a willing slave to his or her craft, and willingness to die for a higher cause, such as freedom, does indeed make one "less dead."

As evident from the last quotation, Berlin amps things up considerably in the final pages of his essay and allows himself to be much more explicit about the need to destroy the "monstrous" notion of positive freedom that he has himself created:

One belief, more than any other, is responsible for the slaughter of individuals on the altars of the great historical ideals—justice or progress or the happiness of future generations, or the sacred mission or emancipation of a nation or race or class, or even liberty itself which demands the sacrifice of individuals for the freedom of society. This is the belief that somewhere, in the past or in the future, in divine revelation or in the mind of an individual thinker, in the pronouncements of history or science, or in the simple heart of an uncorrupted good man, there is a final solution. This ancient faith rests on the conviction that all

the positive values in which men have believed must, in the end, be compatible, and perhaps even entail one another. "Nature binds truth, happiness, and virtue together as by an indissoluble chain," said one of the best men who ever lived, and spoke in similar terms of liberty, equality, and justice. But is this true? [...] To admit that the fulfilment of some of our ideals may in principle make the fulfilment of others impossible is to say that the notion of total human fulfilment is a formal contradiction, a metaphysical chimaera. For every rationalist metaphysician, from Plato to the last disciples of Hegel or Marx, this abandonment of the notion of a final harmony in which all riddles are solved, all contradictions reconciled, is a piece of crude empiricism.

Ahh, the ancient debate between the Idealists and the Empiricists ("Death to Metaphysics!") rears its ugly head. The "Pluralism" that Berlin refers to in, literally, the final page of his essay, and which was the "*idée maîtresse*" of Berlin's political theory"¹⁵ is merely the end result of an essay whose goal, all along, was the end of "positive freedom," since "justice and generosity, public and private loyalties, the demands of genius and the claims of society, can conflict violently with each other" (p. 28):

Pluralism, with the measure of "negative" liberty that it entails, seems to me a truer and more humane ideal than the goals of those who seek in the great, disciplined, authoritarian structures the ideal of "positive" self mastery by classes, or peoples, or the whole of mankind. It is truer, because it does, at least, recognize the fact that human goals are many, not all of them commensurable, and in perpetual rivalry with one another. It may be that the ideal of freedom to choose ends without claiming eternal validity for them, and the pluralism of values connected with this [...] are not less sacred because their duration cannot be guaranteed. Indeed, the very desire for guarantees that our values are eternal and secure in some objective heaven is perhaps only a craving for the certainties of childhood or the Absolute values of our primitive past "To realise the relative validity of one's convictions," said an admirable writer of our time, "and yet stand for them unflinchingly, is what distinguishes a civilised man from a barbarian." To demand more than this is perhaps a deep and in curable metaphysical need; but to allow it to determine one's practice is a symptom of an equally deep, and more dangerous, moral and political immaturity. (p. 30)

15 Ryan, p. 221.

Positive freedom can, indeed, be dangerous when mixed with real-world politics, but that is precisely why its various "zones" are carefully curtailed from such encroachments, and why a broader and so less contradictory notion of pluralism—which will be the argument here—is and must be tolerant of positive freedoms, and not curtail them. (In a later chapter, I will argue for the importance of *tolerance*, along with freedom, as the defining feature of our country's founding.) Who would want an artist to manage a bank, or a university professor a city (*pace* Plato)? What is far more "dangerous" is a society whose focus on our empirical wants and needs does not only relegate but denigrate the things that, in the words of another Cambridge philosopher, "civilized men and women care about most." As such, positive freedom has nothing to do with the rights of the individual which Berlin is so anxious to protect and which, as we saw in the preceding Introduction, poses its own dangers when, in the name of freedom, individuals refuse vaccinations and masks in the midst of a pandemic. As I hope to demonstrate in the following chapters, it is not only possible but, indeed, imperative for societies to "walk and chew gum at the same time." Indeed, it always has done so, except in those totalitarian systems which have always taken careful aim at precisely those zones of positive freedom (art, religion, higher education, etc.) which Berlin's essay, if it is read carefully, both celebrates but, ultimately, decries. To conclude, we can again invoke Mary Shelley's *Frankenstein*, whose careful reading also leads one to question whether the real "monster" is the creature but, rather, the creator himself.

Chapter 2

THE REASON FOR FREEDOM: KANT

Even if it should happen that [...] this <good> will should be wholly lacking in power to accomplish its purpose, and if even the greatest effort should not avail it to achieve anything of its end, [...] it would sparkle like a jewel in its own right [...] usefulness or fruitlessness can neither diminish nor augment this worth.

Kant, *Foundations of the Metaphysics of Morals*¹

Kant's account of the end of reason *in terms of freedom* is above all aiming to reconcile the modern emancipatory goal with a new grounding of the sacred and noble.²

Much ink has been spilt over the question of our so-called free will, with many, particularly those on the analytic side of philosophy, arguing against the notion.³ Although freedom-loving individuals might recoil from such skepticism, it is, I believe, warranted insofar as one starts from the notion of the objective will rather than from the notion of freedom itself. Even Fichte and Schelling, philosophers on the continental side of things and, as we shall see in the following chapter, clearly on the side of the “positive freedom” rejected by its namesake, would probably agree that the ego, the will, or the “I” as such is incompatible with their notion of freedom, a notion which is derived, not from the ego, but from its substance, the underlying absolute whose reality is even greater because it is freed from the contingencies of self, ego, or the objective will:

For only that is free which acts according to the laws of its own inner being and is not determined by anything else either within it or outside it [...] The Ego, said Fichte, is its own deed; consciousness posits

1 Tr. Lew Beck (New York: Bobbs-Merrill, 1959), p. 10.

2 *Freedom and the End of Reason: On the Moral Foundation of Kant's Critical Philosophy*, Richard Velkley (Chicago: University of Chicago Press, 1989), p. 33.

3 *The Oxford Handbook of Freedom* (Oxford: Oxford University Press, 2018).

itself—but the Ego is nothing other than this, nothing but the positing itself. However this consciousness, insofar as it is thought of as mere self-apprehension or knowledge of the Ego, is not even the primary position, and like all mere knowledge it presupposes the actual ‘Being.’ But this Being which is assumed as prior to knowledge is no being, even if it is not knowledge either; it is real self-positing, it is a primal and basic willing which makes itself into something and is the basis and foundation of all essence[...] The act which determines man’s life in time does not itself belong in time but in eternity.⁴

There is much to unpack here, even more than the distinction, found also in Schopenhauer, between “a primal and basic willing,” the “highest organon of philosophy,”⁵ and the will which is more commonly associated with that of the ego. Schelling’s will as here described is indeed *free* will insofar as it refers, not to the ego, but to the desire to go beyond the ego toward “the greatest good”⁶ that lies beyond it. My intention here is, first, to examine Kant’s notion of freedom as the supersensible substrate—the Being—of our determined, contingent beings, and then to examine freedom’s determination, in the final third *Critique*, as the basis of art. As Paul Guyer has argued, far more attention has been given to Kant’s application of this notion of freedom to his definitions of morality and so-called “practical reason” (is there anything less practical?⁷) in the second *Critique* than to its reappearance in the third as the fundamental principle of aesthetic freedom. Disagreeing with Terry Eagleton that the application of the doctrine of freedom to beauty, sublimity and fine art the third *Critique* was meant merely to “fill in the emptiness” of the second, Guyer’s argument is that the third *Critique* does much more than that:

The pleasurable yet disinterested sense of freedom from cognitive or practical constraint—that is, the sense of the unity of aesthetic experience without its subordination to any scientific or moral concepts

4 Schelling, *Philosophical Inquiries into the Nature of Human Freedom*, tr. Gutmann (La Salle: Open Court Publishing, 1992), p. 63.

5 Velkley, p. 33.

6 Kant refers to the ideal unity of freedom and nature as “the highest good” [...] Velkley, p. 95.

7 “In a practical philosophy it is not a question for assuming grounds for what happens but of assuming laws of what ought to happen even though it may never happen[...].” *Foundation*[...], p. 44.

and purposes—which is at the heart of Kant’s explanation of our pleasure in beauty is precisely that which allows aesthetic experience to take on deeper moral significance as an experience of freedom.⁸

* * * * *

The reason for freedom as the freedom for reason. It is a staple of Kantian thinking—both his own and others’ commentaries—that nature, which is governed by laws, is thereby understandable in terms of knowledge (*Verstand*), whereas human reason (*Vernunft*) as based on the supersensible is free from such laws and even understanding. Reason frees humans from the necessity of thinking positivistically, while this same capacity also frees reason and the human from any definition, since such freedom is not, itself, based on any such law or understanding. Those who would argue that freedom, or “free will,” is not real are right insofar as this freedom is not what is realized but, rather, *the underlying potentiality that is capable of producing reality but is therefore not itself real*. This is not to say that such freedom does not exist, but merely that it is the basis in Being for existences (beings) while not being one of them: “[...] the self-subversion of reason <in Kant> takes on forms in the areas of politics, religion, and aesthetics wherein the freedom/determinism issue is not relevant or wherein it is at least secondary[...].”⁹ Attempts to deny thinking about the noumenal, supersensible Absolute that underlies human reason ignore the very freedom that separates human’s mastery over its empirical existence. Real freedom is the “positive” assertions of acting differently and better, as opposed to the “negative,” empirical freedom merely to act without restraint.

No one doubts that the notion of enlightenment (*Aufklärung*) is of the highest importance in Kant’s entire philosophy. Less obvious but no less certain is Kant’s belief that enlightenment owes its existence to freedom, rather than the converse. Unlike other views that would derive freedom from an enlightened state of mind, Kant maintains the opposite, namely, that “For this <true> enlightenment, however, nothing is required but freedom,” and “[...] indeed, if only freedom is granted, enlightenment is almost sure to follow.”¹⁰ As opposed to earlier emancipatory modes of thinking, such as those proposed by Descartes, Leibniz, Spinoza, and others, in which reason is an “instrumental” means to an end, for Kant “philosophy is the science of relating all cognition and every use of reason to the ultimate end of human reason, to which, as the supreme end, all others

8 *Kant and the Experience of Freedom* (New York, NY: Cambridge University Press, 1993), pp. 3–4.

9 Velkley, p. 93.

10 *What Is Enlightenment?* Tr. Lewis White Beck (New York: Bobbs-Merrill, 1959).

are subordinated and in which they must be joined into unity [...] Philosophy is the idea of a perfect wisdom that shows us the ultimate ends of human reason.”¹¹ In other words, the “reason for freedom is the freedom of reason” from a contingency that views reason, and freedom, as merely instrumental. For Kant, reason

[...] must turn to free rationality, implicit in its own operations, as the sole ground for unity and consistency in its principles. At the same time, speculative reason should arrive at the insight that the true satisfaction of its “demands” for cognition of the whole according to ideas of totality will be found in the noncognitive employment of reason in moral self-legislation. (Velkley, p. 13)

In understanding the freedom that leads to enlightenment it is imperative to begin with the supersensible Absolute that is the basis of freedom. Kant’s entire system of thought is based on an absolute “ground” that is unthinkable in terms of knowledge (*Verstand*) but which reason (*Vernunft*) nonetheless posits as the basis of all knowledge:

[...] all conceptions, like those of the senses, which come to us without our choice enable us to know the objects only as they affect us, while what they are in themselves remains unknown to us; therefore, as regards this kind of conception[...] we can attain only to knowledge of appearances and never to knowledge of things in themselves. As soon as this distinction is made[...] it follows of itself that we must admit and assume behind the appearances something else which is not appearance, namely, things in themselves [...] (G, 69; underlining mine)

It is worth noting that the sense of noumenal “things-in-themselves” occurs spontaneously—“it follows of itself”—as opposed to following logically from the natural world and the knowledge that informs it.¹² Our comprehension of the Absolute occurs absolutely or, put differently, our thinking about

¹¹ Velkley, p. 17.

¹² In Richard Velkley’s *Freedom and the End of Reason*, he frequently refers to the “spontaneity” of freedom and reason, for example “Thus the revival of teleological thought in Kant is based on freedom and the spontaneity of reason, and preserves the modern assumption of the indeterminacy of the good. Even Kant’s concerns with teleology in its aesthetic and organic embodiments derive from the principal ground of freedom” (p. 46). Without exploring the fascinating role the adverb plays here, it is worth noting that, in Plato’s Symposium, Diotima also refers to the “highest good” as appearing “suddenly” (*hapnôs*).

“things in themselves” is itself a thing in itself that “follows of itself.” It is this “spontaneous” “X” which occurs as a result of the obvious separation between our knowledge of things and “things-in-themselves” that is the basis, not only of our knowledge of things, but of the freedom from such knowledge of things. *Freedom for Kant refers to our inherent link to a supersensible “X” that is unknowable as such but is the truth of who we really are*, the determining factor in our morality as well as the very *raison d’être* of our creative capability to produce works of art:

As a rational being and thus as belonging to the intelligible world, man cannot think of the causality of his own will except under the idea of freedom, for independence from the determining causes of the world of sense (an independence which reason must always ascribe to itself) is freedom. (*Foundations*, p. 71)

Freedom, then, is the Absolute *within us*, the fact that we are not a fact but, rather, the basis for all the facts that determine everything except for the fact of its own existence. Although this notion of freedom—a freedom that is not only free from itself but, more importantly, our underlying truth—is not subject to the laws of logic or anything objective it is more, not less meaningful for Kant; indeed, as we shall now see, it is the basis for our autonomy, morality, and art: “The concept of autonomy is inseparably connected with the idea of freedom, and with the former there is inseparably bound the universal principle of morality [...]” (*Foundations*, p. 71).

Just as the Absolute is not the real absolute but the idea of the Absolute as it is thought through reason, so too freedom is not real freedom but, rather, the “*idea* of freedom” that comes directly from the former: “Therefore freedom is only an idea of reason whose objective reality is doubtful” (pp. 74–75). The fact that many have argued against the existence of “free will” is due to a misunderstanding of this, for free will, according to Kant, not only exists but it is the very basis of our human existence: “In respect to their will, all men think of themselves as free[...] it is as impossible for he subtlest philosophy as for the commonest reason to argue freedom away” (pp. 74–75). Following from this substratum, as it were, of freedom comes the possibility of acting in accordance with this freedom, which cannot mean just doing what one likes but also doing what is best, for although one might—and often does—squander one’s freedom this is not a choice, for, according to Kant, one will always choose to do what is best to the extent that one is guided by one’s freedom and not distracted from it. To the extent, according to Kant, that one is “involuntarily impelled by the idea of freedom” one must “imagine oneself to be this better person” (p. 74) because it would be absurd to think that one would, at the same time, be free to do or be the best and not want to do or be

so, notwithstanding all the ways that the external world with all its empirical realities distract us from our freedom and the goodness that it necessarily entails. Isaiah Berlin was right to distinguish the latter from other, lesser forms of freedom, but he was mistaken, from Kant's perspective, to refer to the freedom merely to do whatever one likes as freedom; it may be caused by our innate freedom but it is merely a distraction from it.

One must, then, act in accordance with one's freedom, however much one might eschew one's autonomy and merely follow the behests of one's "tutors" or "guardians."¹³ We can refer to such proper acting according to one's free will as *work*, as long as it is understood to be in accordance with the highest supersensible principle of freedom. Camus, as we shall discuss in a subsequent chapter, shows how this is possible through what some might see as the dubious examples of Don Juan and Sisyphus.¹⁴ Camus celebrates Don Juan as an exemplary model of existential freedom because he insists upon following the behests of what he knows to be right without regard for the petty laws and concerns that he knowingly abhors. This leads not only to the countless love-affairs that he pursues in the name of ultimate beauty but also, as Molière's play also demonstrates, a willingness to risk his own life to save others. Similarly, Sisyphus refused to obey the laws and gods outside him and chose, instead, to pursue his own positive freedom—with all the work that this entails—without regard to its negative consequences. In declaring, at the end of his essay, that one "must imagine Sisyphus happy" one recalls Kant's argument that one "must," or "ought," to act in accordance with one's freedom, even if, in both cases, one is destroyed by a world of lesser laws and principles.

Freedom, then, is inherently contradictory to any reality—including its own—which is why its necessary implication in "nature" and other forms of reality through work, morality, etc. must remain paradoxical. This is what separates the kind of positive work that informs art and creativity in general from the negative work that is imposed upon the will rather than being imposed by it. Morality, too, demonstrates the inherent contradictoriness of freedom that Kant struggles with in the concluding section of the *Grundlage* ("On the Extreme Limit of All Practical Philosophy"), for, if one follows Kant's theory of the "categorical imperative" to its logical conclusion, one realizes that the moment one acts morally—and that means in accordance with one's freedom as opposed to any rule other than merely "doing the right thing"—one must forget that very action, for to dwell upon it would be to retroactively impose the kind of approbation that, Kant insists, is incompatible with the pure moral goodness that produced the act in the first place.

13 *What Is Enlightenment?* Tr. Lewis White Beck (New York: Bobbs-Merrill, 1959), p. 86.

14 *The Myth of Sisyphus and Other Essays*, tr. O'Brian (New York: Knopf, 1955).

As we shall now see, it is this same freedom from lesser forms of so-called morality that explains the strange connection between moral goodness and the beauty and/or sublimity that occurs in nature as well as in works of “fine art.”

Metaphor as Freedom

For Kant, liberty required a will that was as indifferent to the world and as inaccessible to knowledge as music’s empty sign.¹⁵

I will focus our attempt to demonstrate the thesis that art is one, if not *the*, model of Kantian freedom on sections #46–49 of *The Critique of Judgment*. While other sections of Kant’s third *Critique* would show this equally well—for example, Kant’s famous notion of “disinterestedness” in the first “Moment” of *The Analytic of the Beautiful*)—#46–49 carefully embed seemingly disparate notions of taste, fine art, genius and, lastly, what Kant refers to as “aesthetic ideas” but which, on closer examination, turn out to be nothing other than metaphors. The appreciation of fine art requires taste; the creation of fine art requires genius; and genius can only, according to Kant, express itself through “aesthetic ideas”—that is, metaphors. And while the term “freedom” is largely—but, as we shall see, not entirely—absent from this concatenation of ideas, I will show that is essential to all of the above.

“Fine art,” Kant had declared in #46, “is the art of genius,” and the “principle” whereby the genius is “moved” or “animated” to express him- or herself is a particular kind of motion, one which, as in Kant’s earlier discussion of beauty, has a kind of “finality” that is nonetheless subjective rather than objective. Although this notion of a “swing that is final” is often overlooked by readers of the third, it is an important *moment* in which Kant insists upon describing genius as an undefinable movement which, like every moment, is over before it ever exists as such. That this is the very essence of music, and the very definition of metaphor as that which literally refers, not to anything but to the movement between two things, is clear, but less obvious is the relation of this movement to genius. Earlier Kant had defined genius as that which cannot be defined and which, moreover, does not follow any rule or definition but which, instead, makes the rules for others to follow (*exemplification*). We now see that such freedom is not itself a rule but, rather, a movement whose origin is somehow outside itself as a cause without an end, as an origin (*Ursprung*) that can only be detected by what it is not.

15 *Beethoven & Freedom*, Daniel K.L. Chua (New York, NY: Oxford University Press, 2017), pp. 34–35.

While genius cannot be understood without freedom, it is equally true that freedom cannot be understood without genius, which, as we have seen, also ceases to follow rules in order to make something new that will then become the rule for others. This is what Berlin meant by “positive” as opposed to merely “negative” freedom, for while also incorporating the negative freedom *from* something, in producing something original the genius points us *to* something that no rule or other kind of boundary will ever capture or define. The genius is thus the very personification of freedom in producing a new work which frees him- or herself as well as anyone who stands in awe of it.

The very concept of genius is an anti-catachrestic metaphor. Catachresis, which was originally discussed by Aristotle as an exceptional metaphor because referring to something for which no literal word exists, has been embraced by certain post-modern theories of metaphoricity¹⁶ as the “exception that makes the rule” because all “living,” poetic metaphors (Ricoeur) refer to something unique that cannot be reduced to anything literal. I refer to genius as an “anti-catachrestic metaphor” because it refers to something for which a literal word is thought to exist (“genius”) that is actually a metaphor because the “concept” of that which hits upon the truth without any how or why and without following any preexistent rule refers only to what a genius is not, not to what the genius is, nor to the “truth” which the genius discovers. The genius is thus also free in being freed from any concept of what that genius entails. Similarly, metaphor, or what Kant refers to as an “aesthetic idea,” is free in not being whatever one thinks it is, all the while “hitting upon the truth,” even if that truth is “merely” poetic.

Metaphor is thus the cognitive embodiment of Kantian freedom, for it exists, like freedom itself, outside of any determinate concept while, at the same, expressing more than any mere concept can explain—indeed, metaphor is to language what freedom is to thought. This poetic notion is exactly how Kant understands his “aesthetic ideas”:

By an aesthetic idea I mean that representation of the imagination which induces much thought, yet without the possibility of any definite thought (*Gedanke*) whatever, i.e. concept (*Begriff*), being adequate to it, and which language, consequently, can never get quite on level terms with or render completely intelligible [...] (emphasis Kant’s)

16 See, for example, Paul Ricoeur’s *La métaphore vive*, and Jacques Derrida’s *Mythologie blanche*.

The many “cognitive” theories of metaphoricity after Kant¹⁷ would have avoided the mistake of inserting some concept—even a concept of there being no concept per se—into their “definitions” of metaphor had they taken this notion to heart. For metaphor, according to Kant, is free from “any definite thought whatever” while, at the same time, “inducing much thought.” Indeed, “much thought” is needed to understand more fully what Kant means by this more positive aesthetic form of thinking.

In the first, *Critique* Kant had described our “understanding” of the supersensible Absolute in much the same terms when he defended metaphysics as necessary while, at the same time, acknowledging it as nonobjective thinking: “We cannot know, <yet> we can think things-in-themselves.”¹⁸ At that time Kant was unwilling or unable to go further than acknowledging the value—if not the existence—of this truth, but Kant’s specific notion of “aesthetic ideas”—that is metaphors—allows us to think more deeply about their connection to metaphysics, the Absolute, and freedom. Although, as mentioned, the actual term “freedom” is largely absent from this discussion, its one reference in #49 occurs at the conclusion of the passage just quoted:

The imagination (as a productive faculty of cognition) is a powerful agent for creating, as it were, a second nature out of the material supplied to it by actual nature. It affords us entertainment (*Wir unterhalten uns mit ihr*) where experience proves too commonplace; and we even use it to remodel experience, always following, no doubt, laws that are based on analogy, but still also following principles which have a higher seat in reason (and which are every bit as natural to us as those followed by the understanding in laying hold of empirical nature). By this means we get a sense of our freedom (*unsere Freiheit*) from the law of association (which attaches to the empirical employment of the imagination), with the result that the material can be borrowed by us from nature in accordance with that law, but be worked up (*verarbeitet*) by us into something <completely> (*ganz*) different which surpasses nature. (underlining mine)

Kant includes many of the Aristotelian ideas traditionally associated with art and figuration in this passage without identifying them as such. The “imagination” that creates a “second nature out of the material supplied to it by actual nature” is the same as the notion of mimesis introduced by

17 I discuss these and other theories of metaphor in *The Critical Double: Figurative Meaning in Aesthetic Discourse*.

18 *The Critique of Pure Reason*, tr. N. K. Smith (New York: St. Martin’s Press, 1965), p. 27.

Aristotle as a counter to Plato's rejection of art as mere copy. The entertainment value of art was also not overlooked by Aristotle, who defined our propensity for mimesis in general, and metaphor (figuration) in particular, as having its origin in our desire to avoid the "commonplace" or ordinary in favor of what is unusual or extraordinary. Aristotle also both acknowledged the teachable "analogical" nature of metaphor with his description of the various forms of genus/species relations and "proportional analogies" while, at the same, insisting that the creation of poetic/rhetorical metaphors "cannot be learnt from another" because, as Kant also mentions here, such metaphors are "free" from these "laws of association" in producing something "completely <ganz> different."

What Kant referred to as the "second nature" which "surpasses" (*übertrifft*) real, empirical nature in formulating aesthetic ideas that are "freedom (*Freiheit*) from the law of association (which attaches to the empirical employment of the imagination)" is exactly how Kant described reason's uniquely human potential for freedom from the immediacy of nature. Freedom, like metaphor, is a second nature that is not only separate from the first nature but also from the first nature of the second nature—that is to say, from the literal, objective truth (*Verstand*) that, according to Kant, is modeled on the "natural sciences." Kant's argument thus resembles Nietzsche's famous essay on "Truth and Lies [...],"¹⁹ in which Nietzsche declared that scientific truth is actually a metaphor that has forgotten its metaphoricity, its freedom, in retreating from its original freedom by clinging to a defined, literal concept that affords us what appeared to be a refuge but turns out to be a prison. If there is truth in saying that a prisoner might experience more freedom in his or her jail cell than the wealthiest person alive,²⁰ it is because the prisoner is just as likely, if not more so, to realize the prison in which ordinary language confines us.

Freedom is metaphor, and metaphor is freedom, because it is not actual, but the pure poet-entaility of language to create itself a new with every original metaphor. And while such metaphors, in their pure freedom, "surpass" anything real or natural, the Truth, as opposed to truth, that they convey turns out to be more valuable precisely because of its evanescence, a momentariness that links it to eternity.

Kant provides a number of examples of this metaphoric freedom in his discussion of "aesthetic ideas," culminating in what Kant declares to be the greatest example of such ideas. Note the striking similarity between

19 Nietzsche's unpublished (in his lifetime) essay is the subject of Sarah Kofman's *Nietzsche et la métaphore* (Paris: Galilée, 1983).

20 Schopenhauer, *The World as Will and Representation*, vol. 1 (New York: Dover, 1969) p. 196.

the way Kant describes these “aesthetic ideas” and his notion of a “categorical imperative” that must remain free of any empirical considerations:

Such representations of the imagination may be termed *ideas*. This is partly because they at least strain after something lying out beyond the confines of experience, and so seek to approximate to a presentation of rational concepts (i.e. intellectual ideas), thus giving to these concepts the semblance of an objective reality. But, on the other hand, there is this most important reason, that no concept can be wholly adequate them as internal intuitions. (p. 176, italics Kant’s)

What “lies beyond the confines of experience” is the negative freedom *from* anything that is merely empirical or objective, but also the positive freedom *for* something, like God (the divine) or the Absolute (the supersensible), that exceeds anything that is empirical or objective. Indeed, although the list of such things that exceed our empirical, logical thinking exceeds the divine, it quickly becomes apparent that those are all correlates of the Absolute:

The poet essays the task of interpreting to sense the rational ideas of invisible beings, the kingdom of the blessed, hell, eternity, creation, etc. Or, again, as to things of which examples occur in experience, e.g. death, envy *and* all vices, as also love, fame, and the like, transgressing the limits of experience he attempts with the aid of an imagination which emulates the display of reason in its attainment of a maximum, to body them forth to sense with a completeness of which nature affords no parallel; and *it is in fact precisely in the poetic art that the faculty of aesthetic ideas can show itself to full advantage*. (pp. 176–177, italics mine)

There is a direct line connecting Kant’s liberation of art from historical, logical, and other forms of objective reality to I.A. Richards’ and the other New Critics’ discovery of “close reading” as a method of ensuring such textual autonomy. So it is perhaps not surprising that Richards voiced a similar sentiment when he declared that the list of things that can only be understood figuratively—that is poetically—includes ‘many of the things that humans care about most.’²¹ But while all these “aesthetic ideas” refer back to our supersensible basis in thinking catachrestically about things “of which nature affords no parallel,” it is also important to place such thinking in the larger context of freedom from any reality, even the reality of such

21 I. A. Richards, *Practical Criticism* (New York: Harcourt, Brace, Jovanovich, 1929), p. 5.

poetic figures themselves. This is why, at the end of the paragraph just quoted, Kant qualifies his high praise for the “full advantage” of aesthetic ideas by stating that “This faculty, however, regarded solely on its own account, is properly no more than a talent (of the imagination).” Although some might see this as the same sort of disdain for art expressed even by philosophers who, like Aristotle, are praising it, Kant qualifies this qualification with the adverb “properly” (*eigentlich*), which means, any ambivalence notwithstanding, that “literally” or “actually” what should be construed as “genius” can also be construed as mere “talent.” As to the parenthetical “(of the imagination),” this ambivalence would soon disappear in the wake of writings by Fichte, Schelling, and other post-Kantian Idealists.

That Kant is equally, if not more, inclined to discuss the genius and freedom of poetic ideas is immediately evident in the next paragraph, where he declares that

If, now, we attach to a concept a representation of the imagination belonging to its presentation, but inducing solely on its own *account* such a *wealth of thought as would never admit of comprehension in a definite concept, and, as a consequence, giving aesthetically an unbounded expansion to the concept itself, then the imagination here displays a creative activity, and it puts the faculty of intellectual ideas (reason) into motion—a motion [...] towards an extension of thought, that, while germane, no doubt, to the concept of the object, exceeds what can be laid hold of in that representation or clearly expressed.* (p. 177, italics mine)

“Motion.” This *notion* of a *motion*, or *motion* of a *notion*, is key, both to the notion of metaphoricity—which is inscribed in its very name—as well as to the notion of freedom. While Kant refers a number of times to the striving (*streben*) or “straining” (Meredith) toward the Truth that is the truth of every metaphor and every “intellectual idea,” it also refers to Kant’s own straining toward the “conceptualization” of these matters. For it is clear here that the “extension of thought” that metaphors/aesthetic ideas provide needs, itself, to be extended, with the result that only motion, rather than anything static or conceptual, is left as the essence of metaphoricity and the freedom it entails.

Indeed, this notion of *flight* informs Kant’s first examples of “aesthetic ideas”: Jupiter’s eagle and Juno’s peacock. Having already invoked Kant’s Nietzschean thinking, we should not dismiss these relatively stock figures, although the transformation of Kant’s classical eagle to Zarathustra’s is telling.

In this way Jupiter’s eagle, with the lightning in its claws, is an attribute of the might king of heaven, and the peacock of its stately queen. They do

not, like logical attributes, represent what lies in our concepts [...] but rather something else—something that gives the imagination an incentive to spread its flight over a whole host of kindred representations that provoke more thought than admits of expression in a concept determined by words. They furnish an *aesthetic idea*, which serves the above rational idea as a substitute for logical presentation, but with the proper function, however, of animating the mind by opening out for it a prospect into a field of kindred representations stretching beyond its ken. pp. 177–178

One is also reminded here of Goethe's—or rather Faust's—similar fancy in imagining flying with the sun: “Oh if some wings would raise me, if somehow I could follow its circuit through the air!”²² For the comparison of Jupiter to his eagle is no mere static one but, like the eagle itself, one that takes flight with “an incentive to spread its flight over a whole host of kindred representations that provoke more thought than admits of expression in a concept.” Flight as the ultimate expression of freedom here itself takes flight on the wings of an aesthetic idea that, ultimately, itself takes wings just as the eagle itself leaves earth behind.

With this mention of “a whole host of kindred representations that provoke more thought than admits of expression in a concept” we may be permitted to fly over Kant's next two examples—one of which resembles the passage from Faust just mentioned in which the poet imagines his own death in the form of the gently setting sun—in landing on the footnote which is attached to Kant's “kindred” statement that these “aesthetic ideas” “give a boundless outlook [...] such as no expression within the compass of a definite concept completely attains.” The freedom, or “boundlessness,” of aesthetic ideas is epitomized, according to Kant, in the statement attributed to the veiled goddess Isis:

Perhaps *<vielleicht>* there has never been a more sublime utterance, or a thought more sublimely expressed, that the well-known inscription upon the Temple of Isis (Mother Nature): ‘I am all that is, and that was, and that shall be, and no mortal hath raised the veil from before my face.’

As Pierre Hadot has shown,²³ this figure of the all-knowing veiled goddess has been frequently referenced, but certainly nowhere more than in the romantic period which followed in the wake of Kant's third *Critique*.

22 *Faust* Part I., tr. Luke (Oxford, 1987), pp. 34–35.

23 *Le voile d'isis* (Paris: Gallimard, 2004).

(Later we will note its stated importance for E.T.A. Hoffmann and, in particular, Beethoven, who kept a copy of Isis' words under glass on his writing table.²⁴) Although the fact that Kant relegates his example of "the most sublime utterance ever" to a footnote might be interpreted as another example of the frequent devaluing of aesthetics by philosophers since this could also be taken as a sign of reverence, much like the discussion of Zeus' foot²⁵ or images of the *Buddhapada*. Be that as it may, "perhaps" (*vielleicht*) we can bring something new to the discussion of this supposedly well-trodden footnote by discussing it in terms of freedom.

A different interpretation of this famous footnote would argue that the underlying Truth of things, the Absolute "all that is, and that was, and that shall be" that can never be known objectively, that "no expression within the compass of a definite concept completely attains", is freedom itself. As we have shown, freedom in Kantian terms is also nothing but our freedom from any thing "that is, and that was, and shall be" because it must, like the categorical imperative, stand outside any practical, temporal reality in order to obey the higher demand of our "better angels" (in this case, Isis). If art and metaphor are also represented by the image of a veiled figure whose underlying Truth is always greater than itself, then both Kantian art and Kantian morality are best understood, not as understanding, but as primary examples of the freedom to do (in the case of art), and to be (in the case of morality), better than anything that "is, and that was, and that shall be."

24 "That Beethoven's feelings had a philosophical core is implied as well by the inscriptions from ancient Egyptian monuments that he kept under glass on his worktable. The second of these appeared as a footnote in Kant's *Critique of Judgment* [...] *Beethoven*, William Kinderman (Oxford, 2009), p. 8.

25 See David Krell, *The Tragic Absolute* (Bloomington: Indiana University Press, 2005), ch. 5.

Chapter 3

THE ESSENCE OF HUMAN FREEDOM: FICHTE AND SCHELLING

Fichte. For Fichte, as for Kant, Schelling, and the other Idealists, freedom begins with consciousness. More specifically, it begins with the inherent split, or doubling, that is created the moment consciousness, which is always consciousness *of* something, suspects that it is something different from the very objects—including the objectified “I,”—that constitute reality:

I do not know without knowing something. I do not know anything about myself without becoming something for myself through this knowledge – or, which is simply to say the same thing, without separating something subjective in me from something objective.[...] What is objective is supposed to subsist through itself, without any help from what is subjective and independently of it. What is subjective is supposed to depend on what is objective and to receive its material determination from it alone.¹

“Deep Down,” as Henry James describes it,² there is a subjectivity that is separate from the subjectivity that is known to us *as* subjectivity—the latter being the ego, as opposed to the “*Ich*” or, as Fichte along with others describe it, the *will*: “The absolute spontaneity (or “self-activity”) and independence (or “self-sufficiency”) that lies at the root of the I [...] manifests itself in the willing I as a moment of *free* practical self-determination.”³ As with Schopenhauer, this will is the Kantian “absolute,” but an absolute that is localized more specifically within us: “The unity [*das Eine*] that is divided—which thus lies at the basis of all consciousness and due to which what is subjective and what is objective in consciousness are

1 Fichte, *The System of Ethics* (SE), ed. Breazeale (Cambridge: Cambridge University Press, 2005), p. 10.

2 This is a reference to the meaning of art in James’ novella “The Figure in the Carpet.”

3 SE, Editor’s Introduction, p. xxxi.

immediately posited as one—is absolute = X, and this can in no way appear within consciousness as something simple” (p. 11, underlining mine). Fichte, anticipating Freud’s later notion of “repression” (*Verdrängung*) as the essence of consciousness, refers to this separation between our absolute subjective freedom and objective reality as “resistance” (*Widerstand*), and it is against such resistance, or repression, that freedom exists:

This resistance is represented as the opposite of activity, hence as something that merely endures, lying there quietly and dead, something that merely is and in no way acts, something that strives only to continue to exist and thus resists the influence of freedom upon its territory only with that degree of force that is required to remain what it is but is never able to attack the latter on its own territory. [...] It continuously accompanies my consciousness, and freedom can never be posited as able to do anything whatsoever about this situation, since otherwise freedom itself, along with all consciousness and all being, would fall away. – The representation of some stuff that simply cannot be changed by my efficacy, something we earlier found to be contained in the perception of our own efficacy, is thus derived from the laws of consciousness. (p. 12, underlining mine)

Freedom is the “absolute within,” and so we will examine more closely the section on “Freedom and the Higher Power of Desire” of Fichte’s 1798 treatise on *The System of Ethics* in which the author describes how such freedom, in its very “incomprehensibility” and “indeterminability,” nonetheless informs our lesser but more determined truths, after which we will show how Fichte’s analysis refutes Isaiah Berlin’s and Bertrand Russell’s rejection of such “positive freedom” as inimical to our “all-too-human,” empirical selves.

While acknowledging that “many complaints have been made concerning the incomprehensibility of the doctrine of freedom” (p. 128), Fichte’s goal is not to erase such incomprehensibility but, rather, to think *about* it:

This split between the natural I of the drive and the I as such, the object of reflection, produces our freedom: The connection between the subject and the object of reflection is that they are supposed to be the same. I [am a] natural being [Naturwesen] (for there is no other I for me); at the same time, I am also for myself the reflecting subject. The former is the substance, and the act of reflection is an accident of this substance, a manifestation of the freedom of this natural being [...] what is incomprehensible is how the mutually independent modes of acting of these two can be in harmony with each other and how they

could arrive at the same thing, since the intellect does not legislate for nature, and nature does not legislate for the intellect. (pp. 126–127, underlining mine)

The “I” is thus not only free from any objective determination, but also *it is the very source of freedom itself*: “[...] therefore, the I is free, and everything that occurs through the I is a product of this freedom”:

What occurs in the I [...] is not determined in advance and is purely and simply indeterminable. There is no law in accordance with which free acts of self-determination would occur and could be predicted, for such acts depend on the determination of an intellect, and an intellect, as such, is nothing but free, sheer, pure activity. (p. 128)

Pure, “positive” freedom is also freedom from freedom itself; in other words, it does not exist as such, but, rather, is the source of everything that does exist. In contrast with the Cartesian cogito, which takes its “Archimedian point” from a consciousness which cannot deny itself without positing itself as such. Fichte’s Archimedian point is a real point, the real point being indivisible, unknowable, and indeterminable in itself:

I am free but I do not posit myself as free[...], <however> Indeterminacy is not simply not-determinacy (=0), but is an undecided hovering between several possible determinations (=a negative magnitude); for otherwise it could not be posited and would be nothing. (pp. 130, 131)

Such indeterminacy, while not determinable in itself, is nonetheless the origin behind all such determinations. This is why, following Kant and in an apparent rejection of a certain misreading of the romanticism with which Fichte is often associated, Fichte rejects “nature” as incompatible with freedom. Rather than seeing nature as the source of our positive freedom, Fichte derides nature as our instinctual, “passive” behavior in opposition to the freedom from such behavior that allows us to *act* (as opposed to “react”) in accordance with a consciousness that is derived, as we have seen, from nothing, but is “a new force <that> comes upon the scene, without making the slightest change in the material contained in the series of effects.” Such “action” is only possible with this freedom: “In contrast to this activity, the natural drive, which is what is reflected upon and which certainly has to be ascribed to the I, is something passive” (p. 133). And while one might look for a “middle ground” in which one could reflect upon one’s natural, instinctual behavior, this would only constitute *negative* freedom, whereas *positive* freedom,

which is the only kind of freedom Fichte deems worthy of consideration here, is completely detached from nature just as consciousness is completely detached from nature in the manner described above. Nature is an obstacle to freedom, just as all the objects of consciousness stand in the way of positive freedom's power to act in accordance with the Absolute:

In relation to the propensity that pulls me down into the series of natural causality, therefore, the [pure] drive manifests itself as a drive that fills me with respect, summons my self-respect, and determines my dignity as something elevated above all nature. The pure drive does not aim at enjoyment of any kind, but instead at disdain for all enjoyment. It renders enjoyment contemptible as such. It aims only at the assertion of my dignity, which consists in absolute self-sufficiency [*in der absoluten Selbständigkeit und Selbstgenügsamkeit*]. (p. 135)

Although Fichte rightly declares that positive freedom “does not aim at enjoyment of any kind, but instead at disdain for all enjoyment. It renders enjoyment contemptible as such,” this by no means precludes the kind of pleasure, or joy, that is the effect, rather than the goal, of real freedom. Freedom that has as its goal “enjoyment” is what we have referred to as *negative* freedom, for its goal is the pleasure that one achieves by freeing oneself *from* something, whereas *positive* freedom, as we have also seen, is acting *for* something, more specifically, for what one perceives to be one's highest good. It is, in a word, acting as though one were oneself God and therefore capable of achieving one's highest good:

Everyone is, for himself and before his own self-consciousness, charged with the task of achieving the total end of reason; the entire community of rational beings is dependent on the care and efficacious action of each person, and he alone is not dependent on anything. Everyone becomes God, to the extent that one is permitted to do so – that is, so long as one preserves the freedom of all individuals. It is precisely by means of this disappearance and annihilation of one's entire individuality that everyone becomes a pure presentation of the moral law in the world of sense and thus becomes a “pure I,” in the proper sense of the term; and this occurs by means of free choice and self-determination. (p. 245, underlining mine)

Although not everyone chooses to exercise their positive freedom but, instead, thinks of freedom only in the negative sense (indeed, this is also evident in the way that freedom is commonly understood negatively), everyone

is capable of doing “all he can to further reason’s self-sufficiency,” sc. of achieving the highest goal of reason. To demonstrate this Fichte discusses various “spheres” (what I refer to as “zones”) of positive freedom that exist separately within society and therefore without interfering with any of the other “zones” or “professions” of absolute freedom. (This leads to the heightened importance of tolerance discussed in a later chapter of this work.) Among these different spheres of freedom discussed by Fichte are those of the scholar and of the religious leader, both of which are discussed in later chapters of the present work on higher education and religion respectively, but we will focus our attention here on his discussion of the “fine artist” (#31), as artistic freedom has proved to be of particular importance to positive freedom of any kind.

Fichte defines “the duties of the fine artist” in relation to those of the aforementioned “scholar” and “moral teacher” because art serves to mediate the scholar’s freedom to *understand* and religion’s freedom to *believe*:

Unlike the scholar, fine art [*schöne Kunst*] does not cultivate only the understanding; and unlike the moral teacher of the people, it does not cultivate only the heart. Instead, it cultivates the entire unified human being. It addresses itself neither to the understanding nor to the heart, but to the mind [**Gemüt**] as a whole, in the unity of its powers [*Vermögen*]. It constitutes a third power, composed of the other two. Perhaps one cannot express what fine art does in any better way than by saying that it makes the transcendental point of view the ordinary point of view. (p. 334)

This is not only a return to Kant’s third *Critique*, with its notion of aesthetics as mediating understanding (*Verstand*) and reason (*Vernunft*), but it is also consistent with the post-Kantian view of fine art by other German Idealists, such as Schelling, whose succinct formulation of beauty as the “infinite within the finite”⁴ is the same as Fichte’s notion here of fine art as making “the transcendental point of view the ordinary point of view.” Fichte adds further insight into the new-found philosophical importance of art begun by Kant, particularly regarding art’s relation to freedom. According to Fichte, everything in life can be viewed in two ways: an “ordinary” way in which things are limited and defined objectively in relation to other things, and an “aesthetic” way in which things are defined separately in

4 *The System of Transcendental Idealism* (1800), tr. Heath (Charlottesville: University of Virginia Press, 1978), p. 226.

themselves in relation to one's own imagination, the latter being as free and undetermined as the former is bound and predetermined:

The world, the world that is actually given, i.e., nature (for that is all I am talking about here), has two sides: it is a product of our limitation, and it is a product of our free acting – though, to be sure, a product of an ideal acting (and not, as it were, of our real efficacious acting). Looked at as a product of our limitation, it is itself limited on all sides; looked at as a product of our free acting, it is itself free on all sides. The first way of looking at the world is the ordinary way; the second is the aesthetic way. For example, every shape in space is to be viewed as a limitation imposed by a neighboring body; [or else] it is to be viewed as a manifestation of the inner fullness and power of the very body that has this shape. A person who proceeds in accordance with this first way of looking sees only distorted, pressed, and anxious forms; he sees ugliness. A person who proceeds in accordance with the second way of looking at things sees the vigorous fullness of nature; he sees life and upward striving; he sees beauty. (p. 334, underlining mine)

In other words, the artist *expands* what our ordinary view *contracts*, and it is this freedom from the dreary reality of things that allows the artist to move *from* mere negative freedom *toward* the more positive freedom that exceeds the ordinary by filling it with the extraordinary, with the beauty that is always already outside any object as such—this is why, at the outset of this passage, Fichte carefully distinguishes “ideal acting” from “real, efficacious acting.” The former is thus repeatedly described as a “fulness” that exceeds whatever is—that is always, as I have described elsewhere, a doubling that “denies itself as such.”⁵ And yet, such doubling is not abstract, nor is it lacking in the joy that can never be its goal but is always its result: “*he sees beauty*.”

The reason that joy can never be the artist's goal touches on our main concern here, namely, that the artist, insofar as s/he is an artist, must be *free* from any such limitation in order to experience the “fulness” that expands beyond—transcends—all such boundaries. Indeed, just as freedom is the “absolute within,” so genius is nothing more nor less than the godlike within. As Kant had earlier argued, the genius, like a god, does not follow the rules of others but makes the rules for others to follow. Like Kantian and, here, Fichtean morality, where one never acts in accordance with the rules of

5 This is the formula I used to describe art in *The Critical Double: Figurative Meaning in Aesthetic Discourse*.

others unless they are also our rules, the artist, the genius, and the truly moral person all follow the behests of a higher calling than that of everyday life. The artist is free from everything except from freedom itself: “It is absolutely true that an artist is born an artist. A genius is reined in by a rule, but no rule can make a genius, precisely because it is a rule and therefore aims at limitation, *but not at freedom*”

[...] the moral law is at the same time the I itself; it comes from the inner depth of our own being [*Wesen*], and when we obey it we are still obeying only ourselves. A person who views the moral law in the latter way views it aesthetically. The beautiful mind sees everything from the side of beauty; he sees everything as free and alive. (pp. 335–336)

With this mention of an aesthetic morality (the only true kind, according to Nietzsche⁶) we can turn—or rather, return—to Berlin’s rejection of “positive freedom” in Kant, Fichte, Rousseau and others discussed at the beginning of this work (Chapter 1). We will begin with an example of how Berlin repeatedly lumps all three of these philosophers together:

Those who believed in freedom as rational self-direction were bound, sooner or later, to consider how this was to be applied not merely to a man’s inner life, but to his relations with other members of his society. Even the most individualistic among them—and Rousseau, Kant, and Fichte certainly began as individualists—came at some point to ask themselves whether a rational life not only for the individual, but also for society, was possible, and if so, how’ it was to be achieved. (p. 16)

Note Berlin’s condescension when dealing with these major philosophers. Such thinkers, we are told, “were bound, sooner or later” to consider how their metaphysical thinking applied to society—as if that were merely something of an afterthought, rather than an essential part of their thinking. Would Berlin similarly chide those preeminent Greek philosophers who advised deferring consideration of worldly, practical affairs until after having established the basis on which such considerations should be founded? I mention this, not as a mean-spirited cavil, but because Berlin’s criticism of Fichte is part of a more general predisposition among largely “analytic” English philosophers against their many continental counterparts. Indeed, Berlin’s criticism of Fichte

6 “Existence can only be justified in aesthetic terms.” *The Birth of Tragedy*, tr. Golfinig (Garden City: Doubleday, 1956), p. 9.

is actually a rehash of an earlier British analytic philosopher's denunciation of such philosophers and Fichte in particular that is closely related—although not explicitly referenced—to Berlin's essay.

It is perhaps surprising, given their analytical bent, that both Berlin's and Bertrand Russell's essays omit a more careful exposition of their ideas by failing to note their references. In Russell's famous—or one might now say infamous—essay on *The Ancestry of Fascism*⁷ the author never bothers to indicate which texts of Fichte's he is referencing in denouncing the Idealist, and he is indeed referencing quite a few. Perhaps this is part of the same disdain referred to above, but it is still surprising given the attention to details touted by the Analytics as opposed to the supposed broad brush of their continental counterparts. But the real connection between these two essays is their almost identical view of the dangers posed by Fichte and all the other "irrational" philosophers referred to by both. And so, since it is the unacknowledged antecedent of Berlin's essay, we will review Russell's before returning to the former's rejection of positive freedom.

It might seem unfair to attack Russell for his assertion, now that it has been rightly rejected by so many others, that Kant and Fichte "inaugurated the movement which has developed into National Socialism" (p. 54). One might even excuse such assertions given the "heat of the moment" in which they were written (1938), although one might also see such inflammatory comments as part of the dangers posed at that time, rather than as their solution. Would that the rise of Hitler could be laid at the feet of Kant and Fichte! But, as we now know all too well, such fascist enterprises and inclinations are the very opposite of their—or for that matter any—philosophy. But these philosophies themselves, and their notions of freedom, are also the very opposite of the movement and dangers with which Russell and Berlin respectively would identify them. Indeed, it is not only absurd but offensive to argue that martyrs like Sophie Scholl and other members of the White Rose resistance in Germany who were routinely tortured and executed by the Nazis died *because* of the very thing they were fighting *for*.

"Reason." The word rightly looms very large in Russell's essay, although it is with its very opposite—the "revolt *against* reason" (p. 53)—with which Russell identifies Kant and Fichte. How is this possible? How is it possible to label as "irrational" philosophers whose primary goal in life was to urge humanity to forsake, or at least subordinate, its natural tendencies in lieu of its ability to consider its highest good, in other words, to reason?

7 It appeared in the collection *Let the People Think* published by Watts & Co in 1941, which was republished by Spokesman Books in 2003, to which my pagination refers.

Fortunately, one doesn't have to read very far into Russell's essay to resolve this contradiction, for it is not reason but *logic* that Russell hopes to defend, and these, as Russell himself would doubtless have to agree, are two very different things. Indeed, as Kant painstakingly and repeatedly showed, logic is one kind of "determinant" (versus "reflexive") thinking which is useless in thinking about such "practical" (in the Kantian sense) matters as friendship, morality, art, beauty, God (or teleology), and (most importantly for our purposes), freedom. One can think *about* such things, but one cannot know them or define them logically ("Oh my friends, there are no friends!"⁸). I would even argue that it is Russell's rejection of "all the things that humanity cares about most," as another Cambridge colleague of Russell's stated,⁹ among which positive freedom is paramount, that poses a danger to humanity, and not philosophers like Kant and Fichte who incorporated nonpositivist modes of thought into their ideas. (In his essay Russell frequently pines wistfully for a return to the "good old days" when the logic of Euclid and Newton prevailed before those nasty "irrationalists" ascended.)

Although it might be too strong to claim that Berlin's essay, which also singles out Fichte, is nothing more than an updated version of Russell's, or even that it would have been impossible without it, it would not be too strong to claim that the argument against the kind of thinking, beginning with Kant, that led to the notion of positive freedom is essentially the same. For Russell, Fichte "has received less than his due share of credit for inaugurating this great movement" (p. 57)—a sentiment with which I would agree, although positively and not, as Russell intends it, negatively.

For those interested in the "history of ideas" it is worth noting that it is here, in his attack on Fichte, that Russell makes the now infamous reference to Heine's rather playful criticism of Kant (also mentioned by Berlin) as a "terrorist of ideas," as opposed to those "who merely slay human beings."¹⁰ This highly ambiguous and far from damning statement led to a blurring of any distinction between the two kinds of "terrorism" by a whole host of writers, some famous (Ayn Rand declared Kant as "the most evil man in the history of western civilization") and some not-so-famous (Leonard Peikoff, who argued that "there is an unbroken line of development that led to the crucial modern turning point: Kant, and on to Lenin, Mussolini and Hitler"). And while David Gordon rejected Peikoff's argument as "perverse," George H. Smith, reviewing these and others' arguments,

8 This quotation is discussed in the final chapter on "Friendship as Freedom."

9 I. A. Richards, *Practical Criticism* (New York: Harcourt, Brace, Jovanovich, 1929), p. 5.

10 *Religion and Philosophy in Germany* (1834), *Preface to the Second Edition* (1852).

merely concluded that “We should therefore exercise extreme caution before condemning Kant or any other philosopher as a forerunner of fascism and Nazism.”¹¹

Berlin’s essay, then, is just the “tip of the iceberg” upon which the German Idealists and other “irrationalists” who argue for the idea of positive freedom have foundered. As we have seen, this attack is not only unfounded but the very opposite of the truth (again, Sophie Scholl did not die because of positive freedom, she died *for* it), for the authoritarians whom Russell and Berlin claim are acting out of “positive freedom” are in fact violating one of its cardinal principles:

I can undertake to do something with a good conscience only on the condition that everyone concede to me a sphere for my free acting and assure me that their freedom will not be disturbed by my acting within this sphere [...] But this coexistence is possible only insofar as each individual freely (since he is supposed to be free and to remain so) restricts the employment of his own freedom to a certain sphere, a sphere that all others have conceded to him alone, while he in turn leaves everything else to be divided among the others. Thus, without hampering the freedom of anyone else, everyone is free within his portion of one and the same sensible world. [...] First of all, it can never occur to anyone with a moral disposition to employ compulsory means in order to make human beings virtuous – by announcing rewards or punishments, which will either be dispensed by oneself, as for example in the case of the state, or by some other overpowering ruler, or which one promises or threatens in the name of an almighty being, whose confidence one claims to enjoy. All actions motivated by anything of this sort possess absolutely no moral value. (pp. 278–279, 285–286, underlining mine).

I have underlined Fichte’s reference to the coexistence of various “spheres” of positive freedom because it corresponds exactly to what we will later refer to as the “zones” in which different forms of positive freedom exist alongside one another in a free society rather than, as Berlin argued, attacking one another. Later, in our examination of religious freedom in the founding of the United States we will see how it was the notion of *tolerance* that was of capital importance in avoiding the kind of problem that Berlin envisioned and which caused him to reject his own notion of positive freedom. It would be extremely difficult to square Russell and Berlin’s notion of Fichte’s

11 From *Immanuel Kant and Nazism* (Libertarianism.org; 2/5/2016, by George H. Smith; a “review of a review” of David Gordon’s review (in *Inquiry*, 9.82) of Leonard Peikoff’s *The Ominous parallels* (1982).

“proto-fascism” with this statement about the importance of tolerance, or what he refers to as “respect”:

[...] we can here point to something ineradicable within human nature, something to which the cultivation of virtue [*Bildung zur Tugend*] can always be attached, namely, the affect of respect[...] this affect [of respect] has no application whatsoever to sensible pleasure. – But as soon as this affect finds its object it expresses itself unavoidably; everything worthy of respect is most certainly respected. The first rule for spreading morality will therefore be the following: show your fellow human beings things worthy of respect. (p. 301)

For Russell and Berlin, the higher morality of “positive freedom” is irrational, whereas for Kant and Fichte, it is the very essence of reason. There is no middle ground between these two notions.

Schelling. It may seem odd that Schelling’s *Philosophical Inquiries into the Nature of Human Freedom*¹² is more about God than it is about “Human freedom,” but, as we have found in our analysis of freedom thus far, this is because “positive” human freedom is based on notions of divinity and/or the Absolute. God, or the gods,¹³ are by definition free, and it is their freedom that underlies our own, which also explains why so many of the ways in which human freedom is defined (e.g. freedom to do what one likes) fall short: God can, of course, do whatever s/he likes, but this is hardly the “essence of godly freedom,” or of “the nature of human freedom” upon which it is based.

That freedom underlies the essence of God and, moreover, is also the essence of human freedom, is readily apparent in Schelling’s treatise:

Freedom is our All-high, our Godhead, which we desire as the Final Cause of all things. We do not even desire perfect spirit if we cannot at the same time attain it as absolutely free spirit. Or rather, perfect spirit is for us only spirit which is also absolutely free. (p. xlv, underlining mine)

Schelling goes even further than this, however, in ascribing human freedom not only to God but, in more secular terms, to the Idealism of Kant and his successors (including, of course Schelling himself), for it was only with the discovery that consciousness, rather than being derived from the senses, is actually the source of human reality that freedom as the *a priori* “condition”

12 Tr. Gutmann (La Salle: Open Court, 1992).

13 In polytheistic religions, such as that of the Greeks, gods—even Zeus—may be restricted by other gods, although they are completely free relative to humans.

of everything comes into being for the first time: “The true conception of freedom was lacking in all modern systems, that of Leibniz as well as that of Spinoza, until the discovery of Idealism” (p. 17). Or, in the words of a recent philosopher, “[...] one could say that the principal concern of Kant’s philosophy, and perhaps of all German idealist philosophy, is to reconcile the metaphysical “demand” for the “whole” with human freedom and autonomy [...]”¹⁴

If humans, rather than God, create rather than reflect their reality, then humans, rather than God, possess the freedom that they had previously ascribed to God. Rather than the freedom to do “whatever one likes,” “positive” human freedom is the same as God’s and the artist’s creativity in transforming matter into form through work. (It was the same period of Idealism, ushered in by Kant, that led to the explicit recognition of art as a vehicle of the Absolute.¹⁵) Like Sisyphus, who also represents human freedom, the sculptor frees matter in stone through the creation of formal beauty that is merely another name for the perfection of matter through work. This is why art, for Schelling and the other Idealists (including Schopenhauer), is synonymous with God and/or the Absolute—it is, one might say, the voice of God which is also, of course, our own true voice.

Freedom is thus the “final intensifying act” in which humans no longer merely worship God but become God themselves by creating themselves anew through the transformation, or “intensification,” of what is into what IS, that is, into something that is greater than what is. Schelling argues strongly against Spinoza’s more pious insistence on humans as “a” versus “A,” that is, as at most always secondarily related to God and his/her freedom:

Most people, if they were honest, would have to admit that in terms of their ideas individual freedom seems to be in contradiction to almost all attributes of a Highest Being, omnipotence for instance. In maintaining freedom, a power which by its nature is unconditioned is asserted to exist alongside of and outside the divine power, which in terms of their ideas is inconceivable [...] The concept of a derivative absoluteness or divinity is so little a contradiction that it is actually the central concept of all philosophy [...] Immanence in God is so little a contradiction of freedom that freedom alone, and insofar as it is free, exists in God, whereas all that lacks freedom, and insofar as it lacks freedom, is necessarily outside God. (pp. 10, 17)

14 *Freedom and the End of Reason: On the Moral Foundation of Kant’s Critical Philosophy*, Richard Velkley (Chicago: University of Chicago Press, 1989), p. 41.

15 See *Art as the Absolute: Art’s Relation to Metaphysics in Kant, Fichte, Schelling, Hegel and Schopenhauer*.

Rather than defining human freedom in opposition to the freedom associated with God, including the latter's association with "attributes of a Highest Being, omnipotence for instance," human freedom according to Schelling is the same, and not merely modeled after, the freedom and omnipotence associated with God. The artist, for example, in creating a "perfect" work of art that transforms its material substance (mere sound, mere words, mere objects, etc.) into something absolute achieves the same freedom, the same omnipotence, associated with God; s/he becomes, in the words of Plato/Socrates/Diotima, "immortal, if ever a mortal can."¹⁶ "Human spirit," rather than some vague cliché, is instead to be understood as human divinity, which is in turn to be understood as our freedom from our human reality and our basis in the Absolute, underlying condition of that reality. We are not just the "mere mortals" we ordinarily assume ourselves to be but, rather, the Being that underlies that reality, which is why the artist, who creates a new reality from the one that is already there, serves as a model for human freedom.

Freedom is not our human condition; it is instead the divine condition that underlies our human condition, which is why Schelling says that "The thought of making freedom the sum and substance of philosophy has emancipated the human spirit in all its relationships [...]" (pp. 24–25). The "sum and substance" of who we are is not, then, what we are, but rather the freedom that exists prior to the supposed "substance" of who or what we really are. This is why Sisyphus became Camus' model for our underlying divine freedom by overcoming the burden, the weight, and the gravity of human existence through his revolt against everything, including the gods. Sisyphus represents our divine freedom precisely because, in also representing the utter lack of freedom of our human condition of toil and labor, he refuses to accept this punishment along with the God or gods who imposed it. He thereby lifts the rock, he even shatters it, if only, as Camus admits, momentarily.

God, or the gods, make laws for humans, they don't follow them, and so, by defining humans in terms of their divine freedom from laws of any kind Schelling is led to consider the problem of good and evil. Good is defined in two ways, as both "beyond good and evil" as well as in its moral opposition to evil. Humans are neither good nor evil in the latter moral sense because that is derived from a higher Good that must inform both good and evil in a moral sense. In other words, evil is merely the result of the constant doubling in which God and freedom inform the very lack of God and freedom that is our essence. "But since there can be nothing outside God, this contradiction can only be solved by things having their

16 The *Symposium*.

basis in that within God which is not God himself,” to which Schelling adds the footnote: “This is the only correct dualism, namely a dualism which at the same time admits a unity” (pp. 37–38).¹⁷ Humans give birth to themselves in the same way that God or the gods are described as giving birth to humans. In the act of divine freedom we produce a mortal being that is also a moral being who strives to regain the very freedom that gave birth to itself in the first place: “If we wish to bring this Being nearer to us from a human standpoint, we may say: It is the longing which the eternal One feels to give birth to itself [...]” (pp. 33–34).

Schelling’s emphasis on birthing in relation to freedom is critical for many reasons, not least of which is that it is repeated later in Nietzsche’s similar notion of the “birth” of Apollonian law from the ecstasy of Dionysian freedom in *The Birth of Tragedy*. Like Nietzsche, Schelling reverses the usual order of things by describing how freedom and/or divinity, “the eternal One,” gives birth to humans’ reason and other capabilities rather than the converse, where human reason is seen as giving birth to freedom and divinity. Whereas Nietzsche refers to this in Dionysian terms as the ecstatic Oneness that leads to human procreation, Schelling describes a similar process whereby the limits of human reason—the Word—are created by an utterly free erotic, procreative force that is the “essence of human freedom” while also separated from it:

This primal longing moves in anticipation like a surging, billowing sea [...] following some dark, uncertain law, incapable in itself of forming anything that can endure [...] this Spirit, moved by that Love which it itself is, utters the Word which then becomes creative and omnipotent Will combining reason and longing [...] (pp. 35–36)

Erotic love can thus be understood as the expression of such freedom in human terms. What Don Juan, for example, refers to as his *raison d’être*, namely, the intoxicated infatuation of the “first stage” of love¹⁸, is part and parcel of his status as one of Molière’s “libertines”: for only through the ecstasy of “falling in love” does Don Juan achieve the freedom that results, inevitably, in his own fall, whether it is his punishment in Hell or merely his return to

17 In *The Critical Double* I similarly defined truth, and therefore also God or the Absolute, as that which denies itself as such.

18 “As for me, beauty entrances me wherever I find it, and I easily yield to the sweet violence with which it seeps us along.” Tr. Frame (New York: Signet, 1967, p. 322).

his uninfatuated state and subsequent pursuit of another woman. No wonder, then, that Camus identifies both Don Juan and Sisyphus as “role models” of existential freedom as well as its subsequent loss and curtailment by the supposedly higher forces of the law.

Even language—the Word referred to above—results from this collision between freedom and the “law” of gravity, a collision reenacted in the combination of “dark” consonants and “light” vowels: “But the (real) Word, pronounced, exists only in the unity of light and darkness (vowel and consonant)” (p. 39). Language is indeed spirit, but spirit defined by the opposition within itself of light and dark, freedom and law, divinity and humanity, etc. Although Camus does not discuss language *per se* in his essay on *The Myth of Sisyphus*, as a creative writer he knew well that words, when spoken poetically, free us from “reality” while, at the same time, enslaving us through fallen, “dead” tropes which limit us through their literal definitions. Sisyphus represents the poetic word which is free, not by ignoring language, but by transforming it through its creative potential that is bound to the “rocks” of “proper,” literal truths (recall that Camus chose to emphasize the impropriety of Sisyphus’ misdeeds). “In rising from the depths the self-will can either realize itself outside itself or fall back on its own darkness/self” (p. 41): that is to say, the inherent doubling of humanity’s struggle for freedom is freedom from the same self that must, therefore, inevitably “*fall* back on its own self.”

Freedom is not, as it is sometimes thought to be, capriciousness, arbitrariness, etc., for it acts “according to the laws of its own inner being and is not determined by anything else either within it or outside it.” It is not “doing whatever I want” any more than it is doing what someone else wants; rather, it is doing both—that is, it is acting according to the “inner necessity” of one’s own law. Again, the example of artistic freedom is exemplary for Schelling as it is for Nietzsche, Sartre, and Camus (discussed in the following chapter): just as the artist creates something new by following her own inner law, something that is therefore never arbitrary or capricious but which is nonetheless freed from any previous reality—either objective or subjective—, so human freedom is the freedom of humans from anything—including the so-called “human condition”—and the subsequent creation of their own new reality. Such freedom is as much a burden as it is a release from same, for in breaking all previous laws of both the self and others one must transform one’s world into something better, or greater, than whatever came before it. Having the freedom to create “one’s own deed” (p. 63) has nothing whatsoever to do with freedom as the freedom to do whatever one wants; it is far more complicated, far more difficult, and far more rewarding.

If freedom, according to Schelling, is to be found in “one’s primal Being” (p. 63), in our inherent connection to a metaphysical “Absolute” that underlies who or whatever we are as pure potentiality without being anything in reality, then such freedom has nothing to do with “doing whatever one likes” because that is already determined by an ego that is merely the effect of one’s original “primal Being.” Therefore, Schelling says that while Judas could and should have acted differently, the freedom to betray Jesus is “necessarily” inscribed within the same freedom to love Jesus; it is simply not possible to remove this necessity without destroying freedom itself. The freedom to ignore one’s primal freedom and “to elevate it <selfhood> to be the ruling and universal will,” to act according to one’s ego as opposed to the “higher” primal love that gave birth to the very ego that is now “in charge,” to reverse the cause with the effect in making the cause the effect of the effect and the effect the cause of the cause (metalepsis), is necessarily inscribed within the freedom of our human nature.

It is this same elevation of “the cart before the horse,” of the selfhood which is created by divinity over the Absolute freedom of the divinity that created it that explains the existence of evil. Animals, no matter what act of violence they perpetrate and no matter whom or what that violence is perpetrated upon, are incapable of evil because they act without any self or awareness of what they are doing. If, as Heidegger famously stated, “The lark cannot see the open,” this is because its free existence is also free from any sense of its own freedom. Evil, which is utterly absent in the animal kingdom, is neither the absence of freedom nor is it freedom itself; rather, it is the expression of freedom—of “doing whatever one likes”—insofar as that action is motivated by self rather than by the freedom that created the self to begin with. This is why the puerile notion of freedom to do whatever one likes inevitably leads to evil: rather than the true nature of freedom which, as we have seen, is the divine artistic creation of something new, evil is the selfish creation of something divine, such as the power over life and death:

The general possibility of evil, as has been shown, consists in the fact that, instead of keeping his selfhood as the basis or the instrument, man can strive to elevate it to be the ruling and universal will, and, on the contrary, try to make what is spiritual in him into a means [...]. This is the reverse of God, a being which was roused to actualization by God’s revelation but which can never attain to actuality from potentiality, a being which indeed never exists but always wishes to be, and which, like the ‘matter’ of the ancients, can thus never be grasped as real by perfect reason but only false imagination which is exactly what sin is. (p. 68, underlining mine)

To be free one must, in other words, follow the lead of God, a Being whose freedom is pure potentiality rather than anything actual, rather than taking the lead and acting on such freedom oneself. This is the genius of Homer and of other great artists who acknowledge the higher power which guides their creation as opposed to being the creator oneself.

Far from being the negative freedom to do whatever one chooses, this freedom, which is linked to following freely the behests of a higher power, actually precludes the freedom to do whatever one likes: "By the very meaning of the word, religiosity allows no choice between alternatives, no *aequilibrium arbitrii* (the bane of all morality) but only the highest commitment to the right, without choice." Such freedom, according to Schelling, is the manifestation of God or "Being revealing itself" (p. 73) and thus, is freedom from the ordinary behests of our subjective will, with which it is wrongly confused. Positive freedom is our openness to Being, to a divine Absolute that creates its own reality. This might lead one to paraphrase Camus' famous statement that "one must imagine Sisyphus happy" because he has challenged and defeated the gods. "One must," one might say, "imagine Sisyphus *smiling*" in the manner of those archaic Greek sculptures, and other beatific figures, like the Buddha, and even the God Dionysus who, according to Euripides, smiles at attempts of the rueful King who tries to punish him just as Jesus smiled at the efforts of Pilate to punish him.¹⁹ Like the gods who are, by definition, free from the cares of life that torment us, we too have the potential to smile and at that moment, free ourselves from our so-called reality.²⁰

19 As noted in Dodd's commentary to the Greek edition of the play, the scene between Dionysus and Pentheus was later grafted onto the medieval *Christus Patiens*.

20 I have just completed a book on *The Art of Smiling*, in which I argue for the smile as a beatific sign of our own freedom.

Chapter 4

THE JOY OF FREEDOM: NIETZSCHE, SARTRE, CAMUS

Although freedom, as we have seen, is as complicated and variegated as it is simple and singular, it is also the case that freedom is essentially inseparable from happiness. One might even go so far as to claim that all happiness is the result of freedom, even though freedom's relationship to happiness is not so one-sided.

In this chapter, we shall attempt to elucidate freedom's relation to happiness, and vice versa, by examining three "artist-philosophers" who had much to say on this very subject. As we have already seen and will have numerous occasions to observe further in Part II of this work, artistic freedom is one of the most important "zones" of positive freedom where participants are able to operate outside the usual constraints of society in order to create a viable alternative to same which is nothing apart from the blissful state of happiness it enjoins upon both artist and audience—even Kant's notion of art is inseparable from pleasure.¹ Examining the ideas about freedom from these three artist-philosophers will provide additional insight into our understanding of the joy of freedom as well as a transition to the other practical aspects of freedom discussed in Part II.

Nietzsche [...] Much that has been written on the subject of Nietzsche and freedom falls into the "analytical/continental divide." Discussion among the Anglo-American analytical school of philosophy is largely taken up by

1 As Derrida notes in his treatise on Kant's 3rd *Critique*:

It's about pleasure. About thinking pure pleasure, the being-pleasure of pleasure. Starting out from pleasure, it is for pleasure that the third *Critique* was written, for pleasure that it should be read. A somewhat arid pleasure—without concept and without enjoyment ... *The Truth in Painting*, tr. Bennington/McLeod (Chicago: University of Chicago, 1987), p. 43.

a discussion of Nietzsche's many problematic comments about the age-old shibboleth of "free-will" (updated with recent theories of "compatibilism") and his notions of "sovereign individuals" who have it and a "herd mentality" which doesn't.² Unfortunately, as a number of those philosophers are forced to admit, this approach usually leads to the dead-end of sovereign individuals who don't really exist and a "herd mentality" which is all too real and, truth be told, impossible to completely overcome. Even Robert Pippin, who is less pessimistic than most about the reality of attaining freedom in Nietzschean terms, is forced to admit:

<Pippin> identifies freedom as a kind of perpetual self-overcoming. Freedom, he says, is not a metaphysical capacity to have done otherwise, nor the unconstrained expression of one's identity, but a psychological self-relation—a relation to one's own drives, desires, and commitments. This achievement demands more than merely force of will or self-knowledge or reflective endorsement; it involves a paradoxical form of mindedness, at once affirmative and negative, whole-hearted and ironic (a "tension of the spirit")—a form of self-relation, Pippin says, that cannot be captured by literary self-creation models.³

However, despite Pippin's dismissive reference to "literary self-creation models," it is precisely art, artists, and aesthetic activity, in general, that will serve to clarify the many misunderstandings about the relation of "freedom and autonomy" (xiii):

Creation—that is the great redemption from suffering, and life's easement. But that the creator may exist, that itself requires much suffering and much transformation. [...] my willing always comes to me as my liberator and bringer of joy. Willing liberates: that is the true doctrine of will and freedom (*Zarathustra*, "Of the Blissful Islands").⁴

Less dismissive of Nietzsche's aesthetic understanding of freedom is Claire Kirwin's "Pulling oneself up by the hair: Understanding Nietzsche on

² *Nietzsche on Freedom and Autonomy*, edited by Ken Gemes and Simon May (New York: Oxford University Press).

³ *Nietzsche on Freedom and Autonomy*, p. xiv.

⁴ Quoted by Poellner, "Nietzsche's Freedom," *Nietzsche on Freedom and Autonomy* (New York: Oxford University Press), p. 152.

Freedom.”⁵ In this insightful chapter Kirwin quickly moves beyond the sterile debate about “free will” by noting Nietzsche’s own dismissal of this notion and the *causa sui* on which it is based:

The *causa sui* is the best self-contradiction that has ever been conceived, a type of logical rape and abomination. But humanity’s excessive pride has got itself profoundly and horribly entangled with precisely this piece of nonsense. The longing for “freedom of the will” in the superlative metaphysical sense (which, unfortunately, still rules in the heads of the half-educated), the longing to bear the entire and ultimate responsibility for your actions yourself and to relieve God, world, ancestors, chance, and society of the burden—all this means nothing less than being that very *causa sui* and, with a courage greater than Münchhausen’s, pulling yourself by the hair from the swamp of nothingness into existence.⁶ (underlining mine)

This, and other passages by Nietzsche quoted by Kirwin, demonstrate the absurdity of approaching freedom in terms of a “free will” that is defined *a priori* as a *causa sui* and disproven *a posteriori* by the many external forces—beginning with language—constraining our so-called freedom. (If freedom is a concept, then how is it free?) “These two problematic pictures – of the free will untouched by external influence and pulling itself up out of nothing, and of the un-free will pushed around willy-nilly by causal forces – really go hand in hand.” This leads Kirwin to rephrase the question: “Nietzsche’s concern here, I claim, is not so much with the question ‘are we free?’ as with the question ‘what is freedom?’ His discussion in BGE 21 suggests that a certain traditional way of thinking about freedom does not give us a coherent picture of what it would be to be free” (p. 89). Freedom, like the notion of God (according to Kant), is less about its real existence than about the idea of freedom, an idea which—again, like that of God—cannot be completely understood but which can be experienced and thought *about*.

In her attempt to understand Nietzsche’s more problematic notion of freedom, where “certain internalized psychological constraints are constitutive of free action” (p. 91), Kirwin adduces a passage from *Beyond Good and Evil* where Nietzsche ridicules the anarchist’s naïve rejection of human’s “obsequious submission to arbitrary laws” which leads them to “then imagine

5 Claire Kirwin, “Pulling oneself up by the hair: understanding Nietzsche on freedom,” *Inquiry*, 2018 vol. 61, no. 1, pp. 82–99.

6 *Beyond Good and Evil*, #21, quoted by Kirwin, p. 85.

themselves ‘free’, even free spirited.” In opposition to this, Nietzsche sees freedom as only possible in conjunction with the “tyranny of such arbitrary laws”:

But the strange fact is that everything there is, or was, of freedom, subtlety, boldness, dance, or masterly assurance on earth, whether in thinking itself, or in ruling, or in speaking and persuading, in artistic just as in ethical practices, has only developed by virtue of the tyranny of such arbitrary laws. (*Beyond Good and Evil*, # 188)

It may strike one as odd that Nietzsche identifies freedom with such things as “subtlety,” “boldness,” “dance,” and the other practices identified in this aphorism. But, as Kirwin rightly notes, Nietzsche’s inclusion of so many “artistic practices” here is crucial: “No commentator disputes Nietzsche’s seriousness in praising the artist in BGE 188.” Indeed, this approach to freedom as artistic is made even clearer later in the same passage, where Nietzsche states: “<The artist> knows how strictly and subtly he obeys thousands of laws at this very moment, laws that defy conceptual formulation precisely because of their hardness and determinateness.”

“At this very moment” (*in den Augenblicken*) means “at the very moment of being free,” and the reference to time here, as it is elsewhere in Nietzsche, is critical. In embracing all the technical rigors required of artistic accomplishment—whether in music, dance, rhetoric, or thinking—the artist overcomes such limitations by destroying them from within—by deconstructing them, as it were—“at the very moment” (s)he is following them. This is why Nietzsche also refers to these laws as “defying conceptual formulation”: since all laws are by definition “conceptual formulations,” the artist’s freedom is achieved by overcoming laws that are, therefore, not laws (think, e.g., of the jazz artist who improvises while following countless rules which are not rules), as opposed, say, to the anarchist who naively believes one does not need laws and, therefore, creates nothing. Another way to put this is to say that the artist exists out of time—in the moment—not by denying time, but by mastering it.

We are now able to understand Nietzsche’s view of freedom in terms of the “sovereign individual” who “overcomes hardship.” The “warrior” is another example of a “free human being” (*Twilight of the Idols*, I IX:38) because s/he masters the law from within as opposed to opposing it from without. This is not the same contradiction evidenced by the example of Baron Munchhausen, who sought freedom by naively claiming to stand outside himself as his own cause. Rather, Nietzschean freedom is available to our will at any moment, and only at the moment, that we overcome the law outside us

without, like poor Baron Munchausen, ignoring the law and standing outside it, which is impossible (see Kafka's parable *Before the Law*). Such freedom of the will "exists" only in the *possibility* that, at any moment, we can think or act differently, much as, for example, the poet creates another reality, a higher "possible impossibility" that, as Aristotle claimed of great art, can be more real than so-called reality itself.

Henry James' notion of "overmastery" helps to understand Nietzsche's notion of freedom as "self-mastery." In his meta-novella about the hidden truth of art, "The Figure in the Carpet," James opposes the kind of mastery in which the ego falsely asserts itself over something or someone else to an artistic "overmastery" that is deeply embedded within its own "carpet"; such overmastery is, as it were, the mastery over such mastery itself. It "exists" only as a "figure," in the way that every "figure of speech," every "living," poetic metaphor, also exists outside itself by "denying itself as such,"⁷ as opposed to asserting itself as such. If one were to claim that such "overmastery," such freedom, cannot exist, one need only point to the existence of art, religion, and even "higher education" as that which does not exist in the "real" world (art has no literal meaning whatsoever) but which has continued to thrive on this nonexistence for a very long time.

If true freedom for Nietzsche is "mastery over oneself"⁸ (Berlin's very definition of "positive freedom") it must be this same type of "overmastery," as opposed to mere mastery over someone or something else. Logically speaking, such overmastery over oneself cannot exist outside of the equally nonexistent "moment," for to deny the self is also to deny the self that denies. This, one might argue, would be a kind of anti-Descartian position in which the ineluctable, "Archimedian point" of a self that cannot deny itself without asserting itself in this very denial yields to its own opposite, a self which overcomes itself and is thereby freed from the Cartesian "ball and chain," an ego that can only repeat itself in its attempt to deny itself and is, therefore, never free.

This enslavement to our rational ego is precisely what Nietzsche refers to as the "herd mentality" and "slave morality" that, by definition, is not free.⁹ However, to free oneself from this mentality and to avoid merely

7 My formula for aesthetic figuration in *The Critical Double*.

8 "In both cases, a long history of external constraint gives rise to a sort of internal constraint, a mastery over oneself – the ability, precisely, to not 'let oneself go' – that Nietzsche connects explicitly to freedom" (compare also TI IX:41, "Freedom which I do not mean"). Kirwin, p. 94.

9 "As far back as *Human, All Too Human*, Nietzsche suggests that the first step toward becoming a 'free spirit', achieving 'great liberation', requires that one relinquish reverence for the idols and ideals to which one is taught to be enslaved." Kirwin, p. 95.

repeating it and joining the “herd” of an avant-garde mentality that merely thinks itself free, one must not merely oppose the law and the ego (the “*law of identity*”) but undermine, deconstruct, or otherwise overcome them the way that the artist becomes the law by creating something new that is neither outside the law nor within it. Kafka’s “man from the country” cannot go “beyond the law” as long as he is alive and ego-driven, but Kafka himself in writing “Before the Law,” and the careful reader who stands *before* “Before the Law,” are both outside the law and thereby freed from it, without, of course, actually denying it. Nietzsche’s “Übermensch” and Kafka’s “Untermensch” are both free in standing outside the law by becoming a law unto themselves without denying the law as such. Both are nonexistent, because both deny whatever definition we think limits us as humans; and yet, in dying as mere mortals they achieve a kind of divinity that is, ultimately, merely another word for freedom. Or, in other words: they exist.

Sartre (in memory of Hazel Barnes). While the notion, made famous by Jean-Paul Sartre in his lecture on “Existentialism is a Humanism,”¹⁰ that “man is condemned to be free” might appear unrelated to the notion of positive freedom that we are examining here, a careful reading of Sartre’s chapter will show that existential freedom is exactly what we have defined as “positive” freedom in opposition to its more normative “negative” counterpart.

We concluded the previous chapter with reference to the smile as a sign of positive freedom, and so it is fitting to begin this chapter on Sartre’s famous notion of our “condemnation to be free” with the French existentialist’s own reference to smiling which occurs on the opening page of “Existentialism is a Humanism” when Sartre is discussing his numerous critics: “For example, according to Miss Mercier, a Catholic critic, we have forgotten the innocence of a child’s smile” (p. 17). The fact that the statement itself was bound to have elicited a smile from Sartre and from the large audience gathered a year after the liberation of Paris (October 1945) is only one indication that Mme Mercier and others grossly misunderstand French existentialism and the notion of positive freedom on which it is based.

Existentialism, Sartre goes on to explain, is more optimistic than it is pessimistic in its insistence that humans have the possibility—the freedom—of defining themselves as opposed to being defined already by any objective rule, law, norm, or definition. The “possibility of individual choice,” which (as Nietzsche also maintained) is not to be confused with the absurd notion of “free will,” follows from the cardinal existentialist principle that “existence

10 “Existentialism is a Humanism,” tr. Macomber (New Haven: Yale, 2007).

precedes essence” in that it is just as wrong to define humans as having “free will” as it is to define them as not having free will, for, according to Sartre’s argument, it is wrong to define humans as anything:

It is also what is referred to as “subjectivity,” the very word used as a reproach against us. But what do we mean by that, if not that man has more dignity than a stone or a table? That we mean to say is that man first exists; that is, that man primarily exists—that man is, before all else, something that projects itself into a future, and is conscious of doing so [...] Man is indeed a project that has a subjective existence, rather un-like that of a patch of moss, a spreading fungus, or a cauliflower. (p. 23)

It is important to note, however, that Sartre also carefully distinguishes this freedom from doing or being whatever one likes—what we have referred to as “negative freedom”:

The most common instance is when people tell us, “So you can do whatever you like” [...] The first objection, that you can choose whatever you like, is simply incorrect. In one sense, choice is *possible*; what is impossible is not to choose. I can always choose, but I must also realize that, if I decide not to choose, that still constitutes a choice. This may seem a purely technical difference, but it is very important since it limits whim and caprice [...]. He must choose without reference to any preestablished values, but it would be unfair to tax him with capriciousness. (p. 45)

Indeed, one of the Sartre’s models for this positive notion of freedom, as it was for Nietzsche and as it is for us, is the artist for whom the capriciousness of “doing whatever one likes” is utterly foreign:

Rather, let us say that moral choice is like constructing a work of art. Has anyone ever blamed an artist for not following rules of painting established a priori? Has anyone ever told an artist what sort of picture he should paint? It is obvious that there is no predefined picture to be made, and that the artist commits him-self in painting his own picture, and that the picture that ought to be painted is precisely the one that he will have painted. As we all know, there are no aesthetic values a priori, but there are values that will subsequently be reflected in the coherence of the painting [...]. We are in the same creative situation. We never speak of the gratuitousness of a work of art. When we discuss one of Picasso's paintings, we never say that it is gratuitous [...]. (p. 46, underlining mine)

To be free from any predetermined essence does not mean that one can simply do or be whatever one likes, for to do so would leave our predetermined essence intact. Rather in order to *be* free one must, like the artist, do or be something beyond what one already is or what one has already done. Morally speaking, it is to act according to one's highest goals or beliefs rather than merely following the behests of others.

This is of course very close to the Kantian notion of morality as the freedom to act in accordance with the highest good.¹¹ While clearly borrowing from Kant, Sartre further identifies this freedom to determine oneself as the “anguish” of knowing that one can be what one chooses and that therefore one

[...] should always ask oneself, “What would happen if everyone did what I am doing?” So every man ought to be asking himself, “Am I really a man who is entitled to act in such a way that the entire human race should be measuring itself by my actions?” And if he does not ask himself this, he masks his anguish. (pp. 25–27)

Although it is this “anguish” that leads Sartre to refer to humans’ freedom as a “condemnation,” this should not mislead us about the essentially positive notion of existential freedom. Indeed, the very fact that informing this “condemnation” is our “responsibility” for creating our own future is what allows us the freedom to go beyond the predetermined facticity that surrounds us. The artist is filled with anguish, but that is due to the joy that awaits him or her in creating something new; the graduate student is filled with anguish, but that is due to the possibility of rising above the status quo of received knowledge; Sisyphus is filled with anguish, but he is also filled with the joy of knowing that his endless toil is the result of his freedom to disobey the gods, again and again. Indeed, all humans are filled with anguish (although some may not acknowledge it as such), but that is because all humans are filled with the potential to surpass the limits imposed upon them. And if one were to argue, *a propos* the “free-will debate,” that such freedom does not exist, the freedom of the human condition that Sartre is talking about has nothing to do with anything other than the “nothingness” that is our openness to everything.

It is for this reason that Sartre endorses the Cogito, the subjectivity of “I think therefore I am,” as the “absolute truth” and “point of departure” of our essential human freedom. Just as Kant argued that freedom is inherently

11 See Chapter 2.

human (discussed in an earlier the following chapter), it is because of our thinking human condition that the objectivity of existence, with all its facticity, is dependent upon the subjective power of the mind and therefore in possession of the very real potentiality to free itself from all that mere objectivity. For those who continue to insist that there is no such “free will,” tell that to the poet who is visited by a powerful metaphor that, as even Aristotle had to admit, “cannot be taught to another.”¹²

Although it might appear strange that Sartre should refer to anything, let alone freedom, as “absolute,” the term is peppered throughout this lecture. For example:

This absolute freedom of choice does not alter the relativity of each era. The fundamental aim of existentialism is to reveal the link between the absolute character of the free commitment, by which every man realizes himself in realizing a type of humanity—a commitment that is always understandable, by anyone in any era—and the relativity of the cultural ensemble that may result from such a choice. We must also note the relativity of Cartesianism and the absolute nature of the Cartesian commitment. In this sense, we can say, if you prefer, that every one of us creates the absolute by the act of breathing, eating, sleeping, or by behaving in any fashion at all. There is no difference between free being—being as a project, being as existence choosing its essence—and absolute being. (pp. 43–44, underlining mine)

There is, indeed, even for French Existentialism, an absolute, one that, I would argue, is the same absolute argued for by Kant and the other Idealists. Kant, as we have noted, grouped freedom and the absolute together in his teleology of rational thinking about things that cannot exist otherwise. But, however, much one might argue the differences between these two “schools of thought,” there is no mistaking Sartre’s identification of human freedom as the absolute within us. Rather than hearing the famous “I think therefore I am” as the recognition of how we are locked inside an echo-chamber that can only repeat itself every time one attempts to deny it, we should think instead of our absolute freedom to exist apart from all the objects, and objectivities, that surround us.

Camus. One must wonder whether the most famous section of Camus’ most famous volume of essays, the chapter on Sisyphus as *the*, not merely *a*, “absurd hero,” is not a good example of a common complaint against philosophers,

12 *Poetics*, #22.

namely, that their idle ruminations are shattered by the common realities of everyday life. In this case, one might complain that Camus' argument that Sisyphus was able to turn his "dreadful punishment <of> futile and hopeless labor" (p. 88) into happiness is itself absurd—the absurdity of the absurd, one might say. And yet, we will attempt to show that Camus' argument is the very definition of both the burden as well as the joy of positive freedom.

Freedom has long been associated with the merely negative freedom of doing what one wants, as opposed to doing what some external power mandates. In Plato's *Lysis* (his dialogue on friendship discussed in the final chapter of this work) Socrates asks: "Do you think a man is happy if he's a slave and is not permitted to do whatever he likes?" Given this, Sisyphus' punishment of eternal rock-rolling would seem to be the epitome of a lack of freedom and happiness. And, by extension, our own human condition of inevitable obedience to the many external forces that inhibit our ability to do whatever we like would lead us to the conclusion, as Camus himself suggests, that our fate is no less "tragic" than that of Sisyphus. And so, if Camus is right in seeing Sisyphus as "happy" and free, then his argument should also show us how it is possible for us to be free and happy while, at the same time, not being able to do "whatever we like."

Like Lucifer and Prometheus, his archetypal cousin, Sisyphus' freedom is curtailed by higher, more powerful forces against which he rebels. Like the former, Sisyphus demonstrates "a certain levity towards the gods" by, first, telling a bereaved father that it was Zeus who abducted his daughter and, later, by attempting to deny the inevitability of his own death by refusing to return to Hades as promised. In both these stories Camus emphasizes the "trickster" side of a wise thief who repeatedly refused to follow the rules: "If one believes Homer, Sisyphus was the wisest and most prudent of mortals. According to another tradition, however, he was disposed to practice the profession of thief. I see no contradiction in this." And yet, it is not only in his mortal insistence on refusing to obey the law and doing whatever he likes that Sisyphus represents freedom for Camus but also in his eternal punishment, his immortal inability to do anything he likes that "one must imagine Sisyphus happy" and free. How is this possible?

Everything in Camus' short but justly famous essay represents something much larger. Sisyphus is not just Sisyphus, he is also everyman. Likewise, his rock is not just stone, it is also the force of gravity by which we are all weighed down. If, while alive, Sisyphus was able to overcome the *Schwerkewicht* of his rock (one of the many reminders of Nietzsche's importance for Camus—in this case, to his "eternal return") through his "levity towards the gods," gods who, in all cases, represent this very levity

and freedom from gravity,¹³ how, one wonders, is he able not only to retain but also even to surpass that levity now that he is chained to his boulder?

In relegating their freedom, their levity, to God or the gods, humans can experience that freedom vicariously, but they also mitigate that freedom by giving it to another. Humans become, in this latter respect, the stone, the rock, the earth, that lack all levity. Like Nietzsche, but even more explicitly given his “existential atheism,” Camus understood that humans can only regain that freedom through the “death of God,” that is, by becoming God oneself. Rather than worshipping the gods, one might say, the gods should worship us if we are ever to be truly free. But if this is said too easily, if it is said without the accompanying burden imposed upon us by such a reversal, it is mere rock rolling, it is not the freedom from the same. In order to attain this freedom, one must embrace one’s gravity-ridden humanity in itself in order to attain the freedom that had previously been granted only to God or the gods. This can only be accomplished by immersing oneself in the work required to transform all the rules and laws of our gravity-ridden abjectivity *from within* rather than, as Nietzsche warned, merely rejecting them anarchically *from without*. Only then is it possible to be truly happy, and truly free. Only by becoming a god oneself in creating something eternal, as opposed to something merely temporal, something anew from something old, is real “positive” freedom possible.

Sisyphus’ freedom, and ours, requires that he “knows the whole extent <*toute l’étendue*> of his wretched condition: it is what he thinks of during his descent. The lucidity that was to constitute his torture at the same time crowns his victory.” The operative term here, although often overlooked, is “whole.” In recognizing the full extent of the inevitable lack of freedom of our gravity-bound existence, we shatter the rock of that existence by knowing that we are not really free, not really god, but, also, not really *anything*, and therefore free. The rock that rolls *downward* is our freedom from gravity, our floating, as opposed to the mere promise of freedom that is relegated to the gods above us and therefore never really ours. Like the artist who shoulders the burden of his material “stuff,” his paint, his film, his instrument, etc., Sisyphus is free, and happy, by virtue of the very work that enslaves him. To write about freedom, whether poetically or philosophically, or, for that matter, to write well about anything, is the constant burden of lifting a rock to see it fall. Then, and only then, is one truly free, and what is lost in ceasing to worship

13 As discussed in the previous chapter of this work, this is why Schelling’s book on the *Essence of Human Freedom* concerns, not humans, but God.

gods who can only represent that freedom is gained at the expense of our own merely mortal, all-too-human existence.

Camus invokes “tragedy” numerous times in his essay to describe, not just the gut-wrenching punishment of Sisyphus but, also, the “joy” that “must” (“il faut”) accompany it. In this, too, Camus joins with Nietzsche in redefining tragedy in its proper Dionysian terms whereby the ecstatic freedom associated with the human, non-Olympian god leads one to embrace—not merely to accept—the worst that life has to offer in order to overcome it. Just as tragedy, for the Greeks, was a celebration, not a lamentation, of life’s worst-case scenarios, so tragedy, for Camus, is the joy that comes from shouldering the absurdity, the lack of meaning that is life’s only true meaning. In the words of W.B. Yeats—another profound student of Nietzsche—the tragic hero knows that “all things fall and are buildt again/and those that build them again are gay.” Which is to say, true freedom comes not by doing whatever one likes, but by joyously rebuilding one’s life as if one were a god oneself, with no care or concern for one’s merely mortal existence.

“‘I conclude that all is well’ says Oedipus, and that remark is sacred.” Nothing, in fact, has gone well for Oedipus, and if the “remark is sacred” it is because Oedipus, like Sisyphus, knows that by embracing, and not merely accepting, the meaninglessness of his life he has become the god he always was, the god who, like Zeus, murdered his own father and married his own kin. “One must imagine Sisyphus-<and Oedipus> happy” because our burden, like theirs, is to lift the rock that crushes us, which includes the rock of that very notion. We must be happy, and to do this we must “transform all that dread” (Yeats) by building a monument out of the very rock that is our fate.

“Each atom of that stone, each mineral flake of that night-filled mountain, in itself forms a world [...] one must imagine Sisyphus happy.”

Part II

THE PRACTICE OF FREEDOM

Chapter 5

ACADEMIC FREEDOM

While the cliché of “academic freedom” has unfortunately led to a freedom that is often merely “academic,” I would argue that institutions of higher learning are greater expressions of our freedom than any other institution, including that of the government itself. What does “academic freedom” tell us about freedom in general, and what does freedom, in general, tell us about academic freedom in particular? Having distinguished the common, “negative” notion of freedom identified with individualism or, as it is more commonly understood, doing what one wants without outside constraint, from the more positive view of freedom discussed in the first part of this book that identifies the notion with our creativity and potential originality in acting in accord with our highest—divine or absolute—aspirations, we are now in a better position to apply this positive notion to other institutions and “zones,” beginning with academia and then proceeding to politics, free speech, artistic freedom (the music of Beethoven) and, finally, friendship.

As we learned in the previous chapters, positive freedom requires work. We have seen this in the case of Sisyphus, whom Camus declared happy not *despite* the fact of his incessant, “proletariat” toil but *because* he knew it was the “price to be paid” for challenging the absolute authority of the gods. We have also seen this in the case of Nietzsche, for whom artistic freedom is not achieved by simply ignoring the “tyranny of arbitrary laws” and traditions but by working with and struggling against them. And, finally, we have seen this in the case of Kant, for whom moral goodness is only achieved by ignoring precisely those contingent forms of self-interest that define our so-called personal, individual freedom. As noted in the Introduction to this work, positive freedom has nothing to do with the freedom of the individual with which it is often confused, as in Milton Friedman’s *Capitalism and Freedom*.

One thing that is clear in approaching the question of academic freedom is that it, too, is largely defined in opposition to personal, individual freedom and in accord with the work that is necessary to make such freedom possible. Indeed, it is possible to apply to every struggling graduate student, every aspiring assistant professor, and every scholar and teacher

(*magistrorum et scholarium*¹) the term “Sisyphean” due to the incessant labor that is imposed on these constituents from the earliest stages to the last. To understand better the intellectual labor that constitutes the academic freedom of higher education, we will begin at the “beginning” of this tradition with the first such institution, which is also, not coincidentally, where our Western notion of freedom began. Then we will turn to more recent writings by a leading academician (A. Bartlett Giamatti) on the importance of a liberal—sc. *free*—arts education.

* * * * *

Like the Greek term “symposium,” which originally referred to a gathering of drinkers before Plato’s famous dialogue elevated it to a “gathering of intellectuals,” the “Academy” referred, originally, to a particular olive grove sacred to Athena long before Plato and a select group of friends gathered there to pose, and attempt to answer, various intellectual problems. Indeed, one might pause to consider whether the nonscholarly settings of both these quintessential academic terms might not continue to inform their later, more dignified meanings—whether, for example, the evolution of these two terms itself represents the education (*ex-ducere*) out of something “lower” into something “higher” that is less a canceling out of the former than its sublimation or “*Aufhebung*.” One thinks, for example, of the long-standing ivy league tradition of “sherry hour” whose own demise might be said to parallel a certain loss of academic freedom and, especially, of the importance of the liberal arts.

As mentioned, our modern notions of both freedom and “academia” were born in Greece, although the latter only appeared at the end of the Greek “golden age” while the former began before the Greek victory over the Persians at the beginning of the fifth century. And since, as we have argued, “positive freedom” is our inherent link to the divine “absolute,” it could be argued that both freedom and academia were, themselves, the result of Thales and the other Greek “pre-Socratic” metaphysicians of the sixth century. Although philosophy certainly changed—and not necessarily for the better—by the time Plato founded the first Academy, its basis in metaphysical speculations about origins and the “absolute” was never lost, and neither was the idea of freedom that resulted, I believe, from these same speculations.

1 Contrary to (or is it in accordance with?) the “publish or perish” credo of academic advancement, universities have always been defined by these twin functions – *universitas magistrorum et scholarium*.

The origins of academic freedom in Plato's Academy are significant in other ways as well. First, although there was no curriculum as such, the agenda of the Academy was to focus on intellectual problems, that is, questions in themselves as opposed to more practical concerns which replaced the priority of the question with that of the answer. The focus, in other words, was on pure thinking, and such thinking was guided by the deeper questions raised by such thinking without concern for its usefulness or even whether such thinking led to any definitive answer.

The name for this type of thinking or philosophizing is "hermeneutics," and the "hermeneutic circle" involves the process whereby a conversation or interrogation takes place in which question and answer merge rather than either one supplanting the other.² The question, in other words, leads to an answer that leads back to a question; an example of this is the sort of "close reading" that routinely occurs in the study of literature or other "sacred texts" (Benjamin) whereby one learns from the text without answering anything definitively. It is telling, in this regard, that the original meaning of "hermeneutics" referred to Hermes' occupation of translating the incomprehensible language of the gods for human comprehension, provided that one remembers that such translations are never capable of definitively relaying, or replacing, their origins.

This hermeneutical type of "problem-solving" still informs our modern notions of the university which hadn't changed all that much until recently—more of that later. Indeed, the goal of science at the university level is to pursue pure knowledge wherever it leads, and the very notion of the *liberal* arts is to study "great books" and to think "great thoughts" *freely* and without any concern for their practical relevance or ultimate solution. As one of my own literature professors was fond of saying, "Follow the question!" in thinking about a work of art, and the same advice could be said to apply to any of the various academic disciplines. Indeed, this is what distinguishes colleges and universities from other levels and forms of education, however much that distinction has been attenuated as of late.

The connection between the kind of thinking that forms the basis of the university and freedom should be clear. First, there is nothing that compels one to embark on this "higher" form of education. There is no practical advantage or "usefulness" at issue, however much "use-function" might evolve from such thinking. To demonstrate that this notion of "academic freedom" continued

2 For an excellent overview of this long-standing tradition see Jean Grondin, *Introduction to Philosophical Hermeneutics*, tr. Weinsheimer (New Haven: Yale University Press, 1994).

after Plato's Academy we will turn to Kant's famous essay on *Enlightenment* (1784)³ in which he applies the more abstract, theoretical notion of freedom discussed in a previous chapter to the role of academicians as "guardians" of freedom. In that work he defends the university against the still common complaints about the "ivory tower" by defending its separation from the "real world" as its greatest asset, and as integral to the very existence of freedom for society in general.

Freedom begins with our capacity not merely to think but, in accordance with the faculty of reason, to think about thinking itself. Insofar as humans have the capability of not acting in accordance with the natural law of our instinctual will and of thinking about the very process whereby one thinks about anything, one is utilizing one's reason (*Vernunft*), as opposed to one's understanding (*Verstand*), to question the underlying basis of any particular object of thought. Academic discourse is inherently "metaphysical" and so philosophical in being founded, not on the practical application of its ideas, but on the underlying basis, or principle, for those ideas. But while everyone is capable of utilizing the freedom of reason not everyone is able to exercise that freedom from the exigencies of everyday life, whereby it falls to certain "guardians" to exercise the reason and freedom of which all thinking people are at least potentially endowed.

Because reason is only free when one thinks for oneself as opposed to following the behests of others, the majority of mankind, and the entirety of mankind the majority of the time, fail to exercise their freedom in deferring to the *status quo ante*. But positive freedom, as we have had numerous occasions to note, involves the hard, creative work of discovering the truth as opposed to merely accepting it and, therefore, challenging the *status quo*. Although one might assume this to be a largely solitary endeavor which, in the case of artists whose "tutelage" largely ends with the acquisition of the necessary skills and techniques of their "lower education," it often is, for those whose work consists not in the production of original works but in the understanding of those works and of ideas in general participation in a community of other like-minded individuals is, in most cases, necessary. "For any single individual to work himself out of the life under tutelage which has become almost his nature is very difficult" (p. 86), because, rather than relying upon the skills and techniques acquired during one's "lower" education, higher education is less about the creation of an original work (which is why doctoral theses are, almost always, laughably "original") than about freedom to explore ideas other than one's own. This is why, according to Kant, thinking freely according to

3 *What is Enlightenment?*, tr. Beck (New York: Bobbs-Merrill, 1959).

the behests of the faculty of reason is more of a public than a private endeavor: to achieve a “*higher* education” one must rise above the gravitational pull, not only of all preexisting thought but also of one’s own preexisting thinking.

Whereas Kant makes it very clear that enlightenment is impossible without the freedom to think freely (“it <freedom> alone can bring about enlightenment,” p. 87), he also acknowledges that the converse notion, that free thinking is impossible without enlightenment, is only possible for the “few who have succeeded by their own exercise of mind both in freeing themselves from incompetence and in achieving a steady pace <towards progress>” (p. 86). Perhaps it is due to the ambivalence one frequently encounters in Kant between his split allegiances to Enlightenment values and those of an incipient romanticism, but there is clear evidence here of a certain distrust of the kind of revolutionary (or proto-revolutionary) “free thinkers” and preference for a more institutional change from within: “That the public should enlighten itself is more possible <sc. than a private individual’s ‘free-thinking’> [...] <but> the public can only slowly attain enlightenment”(p. 86). Despite the slower but steadier process of public versus private enlightenment, and despite the fact that even public enlightenment is often ensnared in a certain resistance to the more enlightened “guardians” who are willing to “throw off the yoke of tutelage from their own shoulders <and> disseminate the spirit of the rational appreciation of both their won worth and every man’s vocation for thinking for himself,” Kant’s preference for the former is clear, and it is at this point of “What is Enlightenment?” that he begins to refer to the role of the scholar.

The role of the scholar is to question everything in his or her search for the truth and, as such, is opposed to the “private use of one’s reason” (p. 87) which has the possible outcome of disrupting the normal way—or “mechanism”—of doing things. One might, as a scholar, question the role of the military in this or that endeavor or even the role of the military as such, but as a soldier, one’s private freedom is severely curtailed and replaced with “orders” and the need to obey. Or, to use a more benign example:

The citizen cannot refuse to pay the taxes imposed on him [...] but the same person nevertheless does not act contrary to this duty as a citizen when, as a scholar, he publicly expresses his thoughts on the inappropriateness or even the injustice of these levies. (p. 88, underlining mine)

Although Kant’s numerous references to the role of the scholar as the epitome of freedom clearly elevate “higher” education over other, lesser forms of freedom, it is important to note that each time he references the “scholar” (6x in a mere 2 pages) it is in the form of simile. Kant never once refers to the actual scholar but, rather, to those who act *like* scholars in informing

“the reading public” of their public, versus merely private view of things. While some might see this as a reason for not taking this discussion of freedom and enlightenment as about “higher education” as such, I would maintain that this merely expands the notion of academic freedom to other “public” matters (to be discussed next) while not ceasing to model these other forms of public freedom on that of “higher education.” Indeed, if universities abscond from the role that began, humbly enough, in an olive garden on the outskirts of Athens, by devoting themselves to other, more practical needs, then it may well turn out that these other forms of freedom—such as that of “independent scholars” like Nietzsche, may better satisfy that need.

“As a scholar he has complete freedom [...] to communicate to the public all his carefully tested and well-meaning thoughts on that which is erroneous [...]” (p. 88). While Kant repeatedly describes such public, academic freedom as “complete,” this freedom also allows the scholar to speak in his or her own voice, as opposed to merely mouthing the thoughts of others. When, in one of the Kant’s examples, a priest addresses his own congregation—however, large it may be—and is thereby able to utilize his private freedom, this is not really his voice, because it is ultimately defined by the preordained role he has been given, and so “he is not free, nor can he be free, because he carries out the orders of another” (p. 88). But when, “as a scholar whose writings speak to the public, the world,” one utilizes one’s complete “unlimited freedom to use one’s own reason,” then one is able “to speak in one’s own person.” Curiously, one’s public voice turns out to be one’s true, private voice if and only if it follows the behests of absolute freedom “as a scholar”!

Indeed, it is only because the university is a free “(non)institution” that it is and always will be a place where one finds one’s true voice. For, as Kant explains, all other institutions which must, by definition, close off a debate about certain incontestable principles deny one the possibility of “thinking otherwise” and following the path toward truth, a path which, even if it never arrives at its final destination, nonetheless affords one the opportunity to think for oneself. Kant, in a rare display of anti-religious bravado, even excludes the Church from this status insofar as it mandates a certain unchallengeable credo:

But would not a society of clergymen, perhaps a church conference or a venerable classis [...] be justified in obligating itself by oath to a certain unchangeable symbol in order to enjoy an unceasing guardianship over each of its members and thereby over the people as a whole, and even to make it eternal? I that this is altogether impossible. Such a contract, made to shut off all further enlightenment from the human race, is absolutely null and void even if confirmed by the supreme power [...] (p. 89)

As Kant makes clear, the same moral principle that governs individuals' "categorical imperative" must also govern a free (non)institution, namely, that any law must, in such a case, be freely chosen by the people who are to be governed by such a law. "Everything that can be concluded as a law for a people lies in the question whether the people could have imposed such a law on itself"(p. 89), and so the only laws "governing" the university must be laws imposed from within, rather than from without. (As we shall discuss in a later chapter, it is no coincidence that the "free speech movement" began on the campus of a major university). And the one and only "law of laws" governing the (non)institutions of "higher education" must be the law that there is no law that cannot be challenged by the university itself, including the right not to attend such an "institution" at all. We will now demonstrate how this is possible by examining the writings of one of the most prominent leaders of one of the most prominent "(non)institutions" of higher learning.

* * * * *

In memory of A. Bartlett Giamatti⁴

"*A Free and Ordered Space.*" Having begun our discussion of "academic freedom" in the Academy of ancient Greece where, literally, all such academic discussions first began, we will now turn to another scholar whose writings on the university were written some 200 years after the works by Kant just discussed and will serve as a bridge to the present, postmodern state of academic freedom, as well as to our discussion of political freedom in the following chapter. If the university represents true freedom as the sort of "non-institutional institution" we have determined it to be, then we will have to consider, in the following chapter, if and how the inherently institutional nature of "political freedom" is even possible.

The title of this section comes from a work by the former President of Yale University, A. Bartlett Giamatti. Although "Bart's" reputation has now been eclipsed somewhat by that of his famous son Paul, "Giamatti the Elder," who passed away in 1989 at the age of 51, was and probably still is the most famous university president in American history. For after distinguishing himself first as a Professor of Comparative Literature and then as the university's President he became better known to the general public as the President of the National League of major-league baseball and, then, as its Commissioner, during which time he presided over the famous "Pete Rose scandal."

4 As a student when "Bart" was President, I was fortunate to have had some memorable conversations with this excellent man—one reason being that his own doctorate was from the same program (comparative literature) in which I was studying.

(Mr. Rose still lashes out from time to time on Giamatti's ban for life for betting on a sport that Giamatti revered even more than Mr. Rose.) Although this remarkable transformation from scholar to President to Commissioner is itself a testament to a kind of freedom, it is Giamatti's numerous writings on the University and, specifically, on the role of academic freedom that will be the focus here.

The growing distrust of America's institutions of higher education has only increased since Giamatti, in a number of essays written after ascending to the Presidency of Yale in the late 70s through his departure in the mid-80s,⁵ decried a certain loss of faith in institutions which, since the time of our founding, were once seen as a beacon of democratic *Lux et Veritas*:

Do these places only preach and never perform? Are they havens for the trivial pursuits of the privileged, or do they still teach necessary skills, some sense of tradition, some values that are recognizable? Is the commercialization of "students" in athletics for revenue really a legitimate function of a university? In short, is this historically valued way of entering American society, this means to making yourself into someone who can be productive as a person and useful as a citizen—a college education—really worth it? Or, has the system become so concerned with its own squabbles and perquisites and weird forms of job security, so obsessed with maintaining itself as a system, that it is beyond accountability and not worth the tremendous investment it constantly requires? And the question beneath all the questions is, What is the purpose of your college or university? You have not told us, educators and administrators, and we can no longer see or know the point. (p. 35)

The problems Giamatti mentions have only gotten worse since his untimely demise in 1989, such as the recent revelations of the various ways wealthy parents have illegally and immorally "gamed" the system in order to gain admission to prestigious colleges and universities for their already privileged sons and daughters; the nagging problem of the "student-athlete"; the rise of a large class of underpaid and untenured teaching faculty and, perhaps most importantly, the burgeoning role of wealthy nonacademic presidents, chancellors, vice-chancellors, deans, and associate deans whose main concern is with

5 Collected in *A Free and Ordered Space: The Real World of the University* (New York: Norton, 1988).

the business, rather than with the purpose, of higher education. As Giamatti prophetically noted with regard to the last: management is everywhere, while true leadership is sorely lacking. This crisis in higher education in general and in the liberal arts in particular is, I would argue, directly related to our ignorance about the nature of academic freedom (the “liberal” of liberal arts), and it is this ignorance that Giamatti’s essays, and the current work, seek to dispel.

That freedom is a central theme of Giamatti’s writings on academia is quickly evident in the collection’s title as well as in the first few paragraphs of his inaugural address as President of the leading “liberal arts” university in our country:⁶

A civilized order is the precondition of freedom, and freedom—of belief, speech, and choice—the goal of responsible order [...]. Its <the university’s> values are those of free, rational, and humane investigation and behavior [...]. That process is, of course, the educational process, wherein the individual, often alone, often with others, seeks constantly to clarify limits in order to surpass them, constantly seeks to order the mind so as to set it free. That seeking is the university’s essence [...]. Thus it is so powerful and so fragile, the foe of the merely random, insistent on order while urging freedom [...] (pp. 47–49)

Giamatti’s description of the university is always that of a “free and ordered space,” that is, a space where freedom is tempered by order, and order is tempered by freedom. Precisely because this is not an uncommon ideal—indeed, it is one that is even used to defend certain totalitarian systems—it is important to understand exactly how the university and, in particular, the liberal arts, distinguishes itself in this regard. Contrary to the ordinary way of viewing things—and what is the purpose of higher education if not to go beyond the ordinary way of viewing things?—academic freedom is not just the means but, more importantly, it is the goal, with the order being the means to achieve that goal. The true goal of the liberal arts degree is not this or that profession nor, for that matter, this or that anything; even the degree itself is meaningless except in referring back to itself: “If you pursue the study of anything not for the intrinsic reward of exercising and developing the power of the mind but because you

6 Among the other ivy league universities, Yale has usually been viewed—whether rightly or wrongly—as the strongest in the “liberal arts” proper.

press toward a professional goal, then you are pursuing not a liberal education but rather something else” (p. 121). This meaninglessness, however, makes a great deal of sense when one realizes that the end, rather than the means, of higher education is freedom, and so all the knowledge that one has acquired in the course of said higher education is merely for the purpose of setting oneself free from the *status quo ante* or any *quid pro quo* at all. The goal of such knowledge is thus knowledge itself, not any particular thing or things one knows. To say that the goal of higher education is enlightenment is to say nothing new, but to say that this enlightenment, in the full Kantian sense discussed in the previous chapter, is freedom from the “darkness” of every objective thing, every objective body, is, of necessity, not that easily understood.

In making “order” the means, rather than the end, of higher education Giamatti is thus effectively reversing the usual order of things as well as the usual order of knowing. If order also means “system” or any way of arranging disparate elements logically, then the value of this ordering lies not in itself but, rather, in stepping off from this scaffolding and flying above, or even below it. One will recall Aristotle’s famous statement in the *Poetics* that the way to order the best plot is not to maintain its order but, more powerfully, to ironically reverse it with an end that is the very opposite of its beginning. If there is something inherently tragic in “higher education,” it is that the greatness towards which all its participants aspire is doomed to failure, but to a failure that is also synonymous with its greatness.

Perhaps this is why, despite his unfailing optimism and good cheer when addressing students and fellow colleagues, there is also something elegiac in these essays. For underlying all the problems facing the university there is the more fundamental problem facing all higher education: it cannot succeed. One can’t point to one’s degree as a sign of one’s success because, as just discussed, this degree means nothing but itself. One cannot point to the books one has read, for all one has really learned from them is that they deserve to be read again and again. One can’t point to the books one has written, however well received, the lectures one has delivered, however brilliant, because that would be to undermine the very point of those books and lectures, which is to move forward. Like Sisyphus’ endless “rock and rolling,” order only leads to freedom if one knows that order is a necessary but insufficient condition that must eventually lead to the freedom and joy from, and of, such ordering.

Despite acknowledging, as one must, the impractical nature of the freedom and enlightenment that is the goal of higher education, Giamatti steadfastly refuses to accept the usual complaints about the uselessness of a liberal arts education. Kant’s famous notion that “The delight which determines

the judgement of taste is independent of all interest” describes the kind of “contemplation” that must occur in order for the true appreciation of beauty:

Now, where the question is whether something is beautiful, we do not want to know, whether we, or anyone else, are, or even could be, concerned with the real existence of the thing, but rather what estimate we form of it on mere contemplation [...]⁷

There is no practical application, no usefulness whatsoever when one freely contemplates the aesthetic object of beauty. This important notion, which has sometimes been derided by those who foolishly confuse “disinterest” with a lack of interest, is related to Kant’s similar notion of morality as that which must also serve no practical need other than the need to act according to the highest principle of the good. The value of a liberal arts education, like the value of the arts in general, lies in its freedom from the exigencies of life in order to contemplate the inherent truth of things without any consideration for either practical consequences or, for that matter, the objective reality of anything as it has been traditionally defined. Although this might seem to fly in the face of the inherently conservative, traditional nature of the university in general, this is not the case. For despite the traditional nature of the university, it is significant that “higher education,” as opposed to the “secondary education” of high schools and the “primary education” of elementary schools, is strictly voluntary. And so is the voluntary election of one’s “major” and, for the most part, of the classes one chooses to take and the professors one chooses to take them with. And while there is, indeed, much that is traditional in its structure—the division between “humanities” “natural science” and the “social sciences,” its 4-year duration, its “writing requirements,” etc., none of these interfere with the freedom to explore the various subjects contained within—and even the underlying meaning of the subjects themselves. This latter freedom is also evident in the recent controversy over the status of the “canon.” After a rather tumultuous period during which these works were routinely challenged on the basis of race, gender, relevance, etc., it was the general consensus that there is more freedom in reading the classical works of Homer, Dante, Shakespeare, Goethe, et al., than there is in remaining ignorant of these “great books” and the great ideas contained therein.⁸

7 *The Critique of Judgment*, tr. Meredith (Oxford: Oxford University Press, 1952), pp. 42–43.

8 As Maya Angelou famously “I didn’t care what they told me,” Angelou said. “I was convinced that he <Shakespeare> was a little black girl.”

The title of Giamatti's essay specifically devoted to this subject is telling: "The Earthly uses of a Liberal Arts Education" might well be "the earthly uses of a *higher* education," for while the freedom demanded and afforded by higher education may—indeed, must—separate itself from the realities of everyday life, that does not mean that it is irrelevant to those concerns any more than the *a priori* (according to Kant) ideal of freedom is irrelevant to a real-world which is decidedly unfree. Just as, in the socio-political world of real life, "real freedom" is not possible given the various causes which predetermine even the idea of such freedom, the *ideal* of freedom, like the related ideas of God and the Absolute, floats gently above such concerns but is all the more "real" in preexisting even those "pre-existing conditions" without being identified with any one of them. God and/or the Absolute are not real in any real sense of the word, but that is because they are more, not less meaningful.

It follows, then, that the "*higher* education" of the liberal arts is nothing more nor less than the attempt to see the world as "God" sees it. This is why the study of "divine" or "absolute"⁹ works of art, whether through the philological pursuits of language/literature departments or the study of art and music history, plays such a large role in the liberal arts curriculum. Just as art, again according to Kant, has no purpose or ultimate meaning other than itself, so the liberal arts have no purpose or ultimate meaning other than their own tireless pursuit of a higher truth whose greatness is all the greater because it can never be known as such. It stands to reason, then, that the ultimate freedom of God and the Absolute must inform any institution which, in the case of higher education, pursues such truth. Since the mottos of many of our institutions of higher education are, in their Socratic references to light, more or less, the same, I would submit that a different emblem of higher education might be that of Jacob wrestling with the Angel of the Lord. It is a struggle with someone or something not of this world and which one cannot win, but it is, therefore, a fight whose loss is, itself, a kind of victory.

"If you pursue the study of anything not for the intrinsic reward of exercising and developing the power of the mind but because you press toward a professional goal, then you are pursuing not a liberal education but rather something else" (p. 121). As in the case of Sisyphus, whose eternal rock rolling has no other goal than the freedom of knowing that all one's labor is justified by a higher purpose which must inevitably

9 See *Art as the Absolute: Art's Relation to Metaphysics* [...].

escape it, the goal of higher education is the freedom to challenge all the powers-that-be (recall that Sisyphus had done exactly that) rather than to obey the behests of those same powers. Why, then, does this put the student back in the mind of Homer, Kafka, Baudelaire, and Rilke, or, in the words of Matthew Arnold, the “best that has been thought and said in the world”? It is a common misunderstanding that one studies the “canon” of great books and ideas merely out of some sense of obligation or reverence for the past. The truth is that one studies such “great books” over and over again because one has never really read, heard, or understood them. Freedom does not exist in a vacuum, but rather in the pursuit of something higher that, while it can never be attained, elevates the soul beyond itself. In reading great books, in hearing great music, in gazing at great paintings, one always begins anew the process of understanding something divine that can, by definition, never be understood *in toto*.

“There is nothing more necessary to the full, free, and decent life of a person or of a people or of the human race than to free the mind by passionately and rationally exercising the mind’s power to inquire freely. There can be no more practical education [...]” (p. 122; underlining mine). With these words, Giamatti eschews the common notion that because the goal of a liberal arts education circles back on itself as its own goal, the liberal arts education is useless in the real-world and therefore impractical. One can again invoke Kant by referring to his unusual sense of what is “practical,” as in the titular *Critique of Practical Reason*. Kant’s “practical reason,” it turns out, is anything but practical in the usual sense; rather, it is, like the freedom that informs this particular faculty of the mind, allegiance to a higher, divine principle rather than to any “practical” concern. God, freedom, and moral virtue are determined, not by anything practical but, rather, by the sense of what one *ought* to do in order to “become a god oneself, if ever that were possible.”¹⁰ Understood this way, the liberal arts education is ultimately very practical by virtue of its higher knowledge of what those practical matters entail. Indeed, Nietzsche argued that a civilization like ancient Greece was great because it allowed itself to be informed by forces greater than itself, and by a tragic freedom from civilization itself.

And so we return to where we, and “higher education” began, in the olive grove of what became Plato’s Academy. There, we will recall, a community of like-minded thinkers gathered to continue Socrates’ pursuit of the truth

10 This is from the conclusion of Diotima’s speech in Plato’s *Symposium*.

“in-itself,” as opposed to what is wrongly perceived to be the truth by those who assume the truth as already given. To the former, those who really “know what they don’t know,” “more will be given,” but to the latter, to those who think they know something, “even the little that they have will soon be taken away.”¹¹ To those who choose to exercise their positive freedom to pursue higher truths more will, indeed, be given, but to those who wrongly believe that what they already know is enough, even that will soon be taken away.

11 Mt. 13:12: He replied, “The knowledge of the mysteries of the kingdom of heaven has been given to you, but not to them.” 12 Whoever has will be given more, and he will have an abundance. Whoever does not have, even what he has will be taken away from him. 13 This is why I speak to them in parables: “Though seeing, they do not see; though hearing, they do not hear or understand.”

Chapter 6

POLITICAL FREEDOM?

“Freedom is found in no form of government;
it is in the heart of the free man.”
Rousseau¹

Unlike the (non)institution of academia discussed in the previous chapter, our supposedly “free” political system must strike one as something of an oxymoron. Indeed, as A. Bartlett Giamatti pointed out, in 1810 James Madison argued that “a national university <should> deny its national character”: “Such an institution, says Madison, though local in its legal character, would be universal in its beneficial effects.”² In taking the name “university” literally, it is hard to see how the freedom that, as we just saw, defines the university might extend to the body politic. Moreover, Giamatti also notes that, in 1848, the great educational reformer Horace Mann argued that education would free one from the “domination of capital and the servility of labor,” thus also agreeing with Madison that it is education, and not *Realpolitik*, that sets us free from what is at best the negative freedom of this or that political system, including our own.

And yet, it is “political freedom” that, for most of us, comes to mind first when thinking about freedom. It is, for many, *Realpolitik* that constitutes real freedom. Thus, while acknowledging that positive freedom is different from the merely negative freedom of “independence,” which is the name given to the holiday when Americans supposedly celebrate their political freedom

1 From *Emile*, quoted by Hanley, “*Freedom and Enlightenment*,” OHF, p. 228. In her essay on “What is Freedom,” Arendt takes issue with Rousseau’s notion, arguing instead that freedom is impossible with the political, as evident, for her, by the fact that the idea of freedom was never among the “time-honored great metaphysical questions” discussed by such classical philosophers as Plato and Aristotle, and that, as a result, one should return freedom to its original locus, “the realm of politics and human affairs in general” (p. 145). The thesis argued throughout the present work, even with regard to Plato (see Chapter 5, “Academic Freedom”), is that the political is at best informed by freedom, rather than the converse.

2 Giamatti, p. 64.

from England, I would argue for a middle ground between the two in which the ideal of positive freedom in the terms we have argued for throughout this book informs the latter in a positive way.

The goal here is to examine political freedom, which is largely “negative” in its concern with removing obstacles and other untoward infringements upon our independence, in relation to the more “positive” forms of freedom discussed here, such as “artistic” freedom, “academic freedom,” and, as we have defined it, the “divine” freedom to act “as God would,” that is, to do something in the best way possible regardless of the consequences. Indeed, it is noteworthy that all the forms of “positive freedom” discussed thus far have often been merely tolerated by the supposedly free society that contains—and often constrains—them. Recall that academic freedom, discussed in the previous chapter, began shortly after the execution of Socrates by the supposedly democratic “body politic,” and how that uneasy relationship, evident in the constant tension between “liberal” institutions of higher learning and the “real world,” continues to this day. Indeed, such bastions of free thought continue to rankle the very governments which, supposedly, support them. Artists, philosophers, and other freethinkers are just as often derided, censured, and persecuted as they are acknowledged, rewarded, or even—with the necessary distance in time or space—celebrated by the very body politic that once condemned them.

Acknowledging, then, that there is no real “political freedom” in the positive sense, I would argue that *the extent to which a so-called “free society” tolerates these more suspect “non-institutions” is the extent to which such a society can be said to be free in the more positive sense of the term.* This is not to ignore or disparage the importance of the modern “social contract” which effectively challenged, if not replaced altogether, the suppression of the will of the people by monarchs or, even worse, tyrants and oligarchs who are not freely elected. But the founders of this country, with considerable guidance from the European Enlightenment and, especially, Montesquieu, in granting voting rights to its (white, property owning) citizens and, perhaps more importantly, making oppositional thinking not only possible but necessary in the form of a certain “balance of power,” were more consumed by the need for freedom *from* than freedom *for*. Moreover, it must be acknowledged that “negative freedom,” however important in our daily lives, is not even a sufficient, let alone a necessary condition of positive freedom. Indeed, positive free thinking is perhaps nowhere more evident than in a society where such negative freedom is sorely lacking.

The key to understanding how positive freedom operates in a society of merely relative, negative freedom is to be found in the often-overlooked notion of *tolerance*. This may come as something of a disappointment to some who were waiting for a more grandiose solution to the problem of political

freedom, but I would ask for *your* tolerance in reconsidering the importance of this humble notion. The initial reason for the existence of our so-called free society, the matrix, as it were, of our constitution (a later document which, it should be pointed out, scarcely mentions the word “freedom” at all³) was the lack of religious tolerance in England and elsewhere in Europe in the early seventeenth century which then led to the Mayflower Compact of 1620; that document established the notion of political freedom that was later incorporated into our Constitution by James Madison (see his “Memorial and Remonstrance Against Religious Assessments” of 1785) and others. Let us examine this key notion more closely, for it is, I would argue, the key to our understanding of political freedom.

“To tolerate” is “to bear or endure a burden” (L. *tollere*). As such, to tolerate, literally and figuratively, would seem the very opposite of freedom, at least in the latter’s negative sense. How, then, can tolerance be essential to freedom if it is its very opposite in “carrying a burden” rather than freeing us from it?

Clearly tolerance is not “negative freedom,” for rather than allowing us to do what we want without external limitations it does the very opposite in imposing a burden upon us from outside. But if it is not freedom in the negative sense, this leaves open the possibility of being freedom in the more positive sense of being freedom *for* something rather than freedom *from* something, and of acting in accord with our highest goals or aspirations. As Kant repeatedly states, if one can act according to the highest “principles” then that would not be merely to be free from limitations but to act as if one were capable, like God, of creation *ex nihilo*, like the artist whose “artistic freedom” means pursuing her/his vision of absolute perfection in one’s work, or like the scholar whose “academic freedom” means pursuing her/his vision of an absolute truth that is not only freedom from previous ideas but also, rather, freedom for such ideas as the necessary means to surpass them, to create an “original work” that will, in turn, be left for others to surpass.

It is with respect to “positive freedom” that tolerance proves to be key to any notion of true political freedom. It is no coincidence that it is precisely those “zones” where positive freedom is practiced most overtly (art, religion, higher education) that tolerance is most evident from within and the lack of tolerance most evident from without. This is because the goal, in all these cases, is not to achieve anything practical but, rather, to pursue the absolute, original *raison d’être* of beings rather than the more contingent practical, contingent realities of the world as it already is. This, in turn, leads like-minded members

3 Its only appearance, including the Bill of Rights, is in the First Amendment of the Constitution.

from *within* to eschew the kinds of intolerance that result, as intolerance almost always does, from more practical, contingent and, above all, selfish concerns. Likewise, this also leads to intolerance of these “zones” of positive freedom from *without* as the inevitable result of not being able to fulfill those higher goals and expectations oneself. Although tolerance is incompatible with negative freedom because of its limitations on one’s “personal freedoms,” it is not only compatible with but also incumbent upon those who are pursuing such higher goals themselves, for positive freedom cannot exist if it does not tolerate others who are pursuing the same goal of absolute freedom. If tolerance is, indeed, of capital importance in maintaining positive freedom in a supposedly free society, and, moreover, was essential to the “founding of our founding,” let us examine the term in its historical context more closely.

As mentioned, it is in the early seventeenth century that the modern notion of political toleration begins, negatively in the lack of toleration afforded other “nonconformist” forms of Christianity and then, positively in the backlash against such persecution. Forty years before the Act of Toleration in England (1689) which accompanied the deposition of the Catholic James II and allowed Protestants to worship relatively freely (“An Act for Exempting their Majestyes Protestant Subjects dissenting from the Church of England from the Penalties of certaine Lawes”), the Maryland colony joined Rhode Island in passing its own Toleration Act (1649) mandating tolerance for Trinitarian Christians (i.e., Catholics). The irony of this act in relation to the earlier persecution of and then tolerance for Protestants is not surprising given the many examples, even now, of the once persecuted becoming, themselves, guilty of intolerance. That irony notwithstanding, the Maryland Act continued the tradition of tolerance that began with the Pilgrims and later informed the First Amendment of the Constitution, which is the only time in the entire document, including the Bill of Rights, where the word “freedom” is mentioned.

In the wake of all these “Acts” of tolerance, the philosopher John Locke’s *Letter Concerning Toleration* (1689) will serve to clarify, as only a true philosopher can, our understanding of this notion. Indeed, the idea of religious toleration was of such great interest and import to the philosopher who was forced to flee the persecution of his Whig party to sojourn in Holland was, that he interrupted work on his magnum opus, the *Essay Concerning Human Understanding*, in order to pen his *Letter*. (This explains why, although published after the aforementioned abdication the *Letter*, which was composed a few years earlier, concerns the persecution of Protestants by Catholics rather than the converse.)

Readers of Locke’s *Letter* may be surprised to find that tolerance is not the focal point of the first third of the essay. Rather, Locke’s essay

is more focused on religion, with tolerance being a necessary corollary of the freedom that both define as well as emanates from the “grace” and salvation of one’s eternal soul that defines true worship. While steadfastly refusing to endorse or criticize any particular religion (his strong distaste for anti-Semitism is readily apparent) Locke seems keenly aware of the value of religion in general:

Every man has an immortal soul, capable of eternal happiness or misery; whose happiness depending upon his believing and doing those things in this life which are necessary to the obtaining of God’s favour, and are prescribed by God to that end. It follows from thence, first, that the observance of these things is the highest obligation that lies upon mankind and that our utmost care, application, and diligence ought to be exercised in the search and performance of them; because there is nothing in this world that is of any consideration in comparison with eternity.⁴ (p. 31, underlining mine)

As opposed to Hobbes’ view of the necessity of an official “state religion,” Locke believed that the suppression of freedom to worship as one pleases in the name of civil coherence would lead to less, not more social cohesion. Since religion, like art and, as discussed previously, the study of the “liberal arts,” is separate from the practical pursuits of civil society (art may depict them, colleges and universities may study them, but neither is involved in them directly), it cannot be governed by the laws of civil society because “there is nothing in this world that is of any consideration in comparison with eternity.” Art, religion, and the study of “the best that has been thought or said” (Arnold) all require freedom from objective, temporal reality in their pursuit of something higher, something “eternal” that is not only separate from everyday life but also, as Locke states, infinitely greater by its very nature.

One might wonder why, since religion and the other spheres of positive freedom just mentioned do not directly affect society, there is even a need for tolerance. Why do there continue to be attacks on certain artworks and artists, certain “liberals in higher education,” certain religions, when, as in the case of the latter, a congregation of like-minded souls has merely gathered to pursue a “higher” goal than that of society itself? Although Locke frequently scoffs at the many examples of intolerance, such as the supposed threat posed by babies being baptized, he does not consider the underlying reason for such behavior.

4 <https://socialsciences.mcmaster.ca/~econ/ugcm/3ll3/locke/toleration.pdf>. Tr. William Popple.

Tolerance is needed for these particular “institutions” precisely because they have often been targets of intolerance, but why? Why is “negative freedom” at odds with “positive freedom” when positive freedom in no way affects, injures, or harms the former?

Perhaps the answer lies in an ancient Greek tragedy, and not just any Greek tragedy but, according to Hegel, the “masterpiece of the ancient world.” The *Antigone*, in Hegel’s view, is essentially built upon the “conflict of two rights” between that of the state to govern according to its own temporal needs (in this case, the need to punish traitors like Polyneices) and that of the individual to obey the gods’ higher principles—in this case, Antigone’s desire to honor her brother with a proper burial. The play teaches us the lesson of tolerance when King Creon comes to realize, too late to save his son, his wife, and even himself,⁵ that it was not so much reverence for the law and the “coherence” of the state that motivated his earlier actions but, rather, his own stubborn pride in not being willing even to listen to Antigone or, for that matter, to any woman.⁶ Nowhere in the play does Creon speak *to* Antigone; rather, he constantly berates and talks *at* her. What this suggests is that underlying the rule of law and magisterial governance is the ego’s unwillingness to relinquish its power and listen to another. There is, in other words, an inherent flaw in the state’s governance of which Locke and other Enlightenment thinkers were keenly aware, namely, that the state is by definition opposed to anyone or anything that is opposed to it, which is why Locke and others argued for the notion of a separation of powers in order to insure that if one is not going to listen to, one should at least tolerate the other. Again, as Locke said with respect to Hobbes, failure to do so leads to more, not less, social upheaval, as Creon learned the hard way. All Greek tragedy, and not just this one, turn on this notion that the true greatness of a society is measured not by its own power but by its willingness to tolerate, if not to listen to, an even greater power within itself, however separate. For the Greeks, this greater power was that of the God Dionysus, a figure whose very being was tolerated and even ambivalently celebrated by the same society that opposed him.⁷

To preserve freedom of religion Locke advocated, in no uncertain terms, the separation of religion from the other institutions of the state. (It is for this reason that I would call religion, along with art and higher education,

5 Although Creon does not die, he considers himself “a dead man” because of the results of his intolerance: “I was dead, and you kill me again” <with the news of his wife’s death.

6 See my article on “*Misogyny, Dionysianism and a New Model of Greek Tragedy*” in *Women’s Studies*, vol. 17, issue 3 (1989).

7 Ibid.

“(non)institutions.”) It is this idea, and the toleration that it requires, that led to our own nation’s “separation of church and state” and its preservation of positive freedom within our “free society”; so-called “direct democracy” and the freedom to choose our rulers being an example of “negative freedom” from the oppression of totalitarian rule. This is not to ignore the importance of “negative freedom”—it is, after all, a certain kind of freedom and one, moreover, which frees religion and the others from the compulsion of the state or even the compulsion to join—it is merely to point out that the “zones” of positive freedom are anathema to any state, even from the very state that bequeaths them their right to exist.

It is this “state within the state,” this nonseparate separation that leads to the notion of tolerance. While tolerance might seem to be a rather mild term for something so important as the existence of religion and the other zones of positive freedom—the connection between “higher education” and religion has been made by Giamatti and others in the previous chapter on “academic freedom,” and the connection between religion and art being obvious both historically as well as perennially—this is perhaps due to the very nature of tolerance, which involves allowing something to exist without giving it much attention. When one is led to pass laws, or “acts,” of tolerance the way that Rhode Island, Maryland and, soon after, England itself did, one might ask whether there is not a certain imbalance in the coupling of “law” with “tolerance,” the former being inexorable and the latter being, well, merely a suggestion. A law, in other words, that requires one merely to tolerate the existence of something rather than to accept it whole-heartedly, the way that one accepts, whole-heartedly, the condemnation of injustice.

This is why the term tolerance is exactly the right word to describe the relation of negative to positive freedom within the state. There is not, nor can there be, anything compulsory about the “institutions” of positive freedom, which is why, for example, the term “compulsory” education never refers to “higher education,” even when, as now, one speaks of making higher education affordable to all. The various “zones” of positive freedom, in being inherently opposed to laws or even rules of any kind (to the extent to which such rules exist they are, again, noncompulsory), have no real, objective existence whatsoever—indeed, they are defined by their own lack of definition—and, as such, they must be left alone rather than made legal—that is, they must merely be tolerated. They are, as the very word suggests, a “burden” born by a society that, if it had its way, would not exist at all. This was the mistake of Plato’s *Republic*, which notoriously took aim, not only at religion and art but at democracy and even the positive freedom of philosophy itself. While Locke is in agreement with Plato regarding

the importance of one's "immortal soul" and its disregard for "the possession of civil and worldly goods" (p. 31), Locke knew what Plato did not yet realize and what Kant was to enunciate even more forcefully, namely, that positive freedom cannot exist within any republic, however ideal, but must instead be allowed to exist alongside it to pursue its own evanescent goals: "The only business of the Church is the salvation of souls, and it in no way concerns the commonwealth" (p. 23, underlining mine).

The notion of tolerance is more difficult to grasp, let alone practice, than one might think, for it involves thinking inside and outside itself by both embracing as well as rejecting that which is foreign to us. Tolerance thus runs counter to the deeply ingrained human instinct for "oneness," what Freud describes throughout his writings as the inherent narcissism of wanting the world to be one with our own needs and desires.⁸ Since such "oneness" is also the goal of every religion as well as all other forms of positive freedom, it is imperative that the State's own narcissism, which either abolishes religion's pursuit of oneness altogether or allows it only in the "one religion solution" advocated by Hobbes and others, be separated from religion in order for both "oneness-es" to survive: "I esteem it above all things necessary to distinguish exactly the business of civil government from that of religion and to settle the just bounds that lie between the one and the other" (p. 6). Hegel also understood this quite well in acknowledging the opposing legitimacies of "church" and "state," as well as the inevitable tragedy that ensues when the necessary separation, as opposed to any real resolution,⁹ does not occur.

Tolerance is not only required by those outside the positive freedom of religion and the other "zones" of positive freedom but also within them. This is confirmed by the lack of compulsion to join or participate in such matters: "Practitioners of a faith must do so **freely**: I say it is a free and voluntary society. Nobody is born a member of any church; otherwise the religion of parents would descend unto children by the same right of inheritance as their temporal estates [...]" (p. 9). Although, to be sure, there are various and sundry rules of conduct, written and unwritten, within the various zones of positive freedom, and while you may be compelled to leave a group that you have not been compelled to join, this is no

8 See "On Narcissism," collected in *Creativity and the Unconscious* (New York: Harper, 1958), although, as I have argued elsewhere, the notion permeates all of Freud's writings.

9 Hegel's attempt to find a synthesis in *Antigone* is actually a recognition of difference rather than any real *Aufhebung*.

real infringement upon one's freedom of choice, and a certain number of rules of order do not so much limit one's freedom as allow it:

No society, how free soever, or upon whatsoever slight occasion instituted, whether of philosophers for learning, of merchants for commerce, or of men of leisure for mutual conversation and discourse, no church or company, I say, can in the least subsist and hold together, but will presently dissolve and break in pieces, unless it be regulated by some laws, and the members all consent to observe some order. Place and time of meeting must be agreed on; rules for admitting and excluding members must be established [...]. (p. 9, underlining mine)

Related to this lack of real punishment within zones of positive freedom, it is incumbent upon them that they exhibit no violence, but rather "grace." Violence within the group, or between such groups, is prohibited because such would contradict the tolerance that defines the group within and, as Locke urges, will hopefully define relations to the group from without. Violence would also be inimical to the state of grace that, according to Locke, defines the group's dominion (p. 13). Grace, it goes without saying, is itself a function of the higher state of being, and of positive freedom, that defines religion and other such groups.

Tolerance is also a function of the necessary lack of certainty that "defines" positive freedom in general and religion in particular:

But let us grant unto these zealots, who condemn all things that are not of their mode, that from these circumstances are different ends. What shall we conclude from thence? There is only one of these which is the true way to eternal happiness: but in this great variety of ways that men follow, it is still doubted which is the right one. (p. 18)

Whether it is the pursuit of truth in higher education, or beauty in the case of art, or God in the case of religion, there can be no other certainty than the lack of certainty which defines the various ways of pursuing positive freedom, for, as we have seen, all these demonstrate the same goal of achieving a higher state of knowledge or Being that must, by definition, remain "doubtful" to the very end. It is thus that Locke condemns "zealots" who can no more remove this inherent doubtfulness, or ambiguity, with certainty than one can by pondering the meaning of Jesus' parables or those of Kafka or, for that matter, any work of art, or any truly religious utterance.

It is this certain lack of certainty which must, by definition, characterize positive freedom, and which is noticeably absent in so-called political

freedom, that leads Locke to emphasize the notion of “*indifference*.” This notion anticipates Kant’s later notion of “disinterestedness,” an important principle used to describe the freedom from objectivity and its related certainty when contemplating works of art, beauty, and sublimity.¹⁰ Indeed, both these notions relate to the larger issue here of tolerance in referring to openness to meaning without filling that free space and particular meaning. As with Kant, who insisted upon the uselessness of the fine arts in his third *Critique*, religion must be tolerated because it does nothing practical:

But it does not therefore follow that the magistrate may ordain whatsoever he pleases concerning anything that is indifferent. The public good is the rule and measure of all lawmaking.

If a thing be not useful to the commonwealth, though it be never so indifferent, it may not presently be established by law.

And further, things never so indifferent in their own nature, when they are brought into the Church and worship of God, are removed out of the reach of the magistrate’s jurisdiction, because in that use they have no connection at all with civil affairs. The only business of the Church is the salvation of souls, and it no way concerns the commonwealth, or any member of it, that this or the other ceremony be there made use of. (p. 23, underlining mine)

Long before Kant, indeed, throughout the history of philosophy beginning with Plato, there is acknowledgment that when it comes to matters of the soul, that is, matters touching upon not only God but also related concerns like beauty and truth, usefulness is uselessness: “I would say only this, that men hold cheap what is useful and necessary, and always reserve their admiration for what is out the ordinary” (Longinus¹¹). True, positive freedom is also necessarily “useless” in this higher sense, which is why negative, political freedom in the everyday sense (e.g., voting) is not really freedom, and tolerance, while also not freedom in the positive sense, is the bridge between these two freedoms and, as such, is necessary for any society, such as ours, that considers itself free.

Finally, it is worth elaborating on the relation, etymologically speaking, of *tolerance* to *metaphor*. Tolerance only acquired its religious significance around the time of the Mayflower in the early 1600s. Prior to that, as its etymology

10 This notion is expounded in the very first “Moment” of Kant’s treatise on the aesthetics of beauty in his final, 3rd Critique.

11 *On the Sublime*, tr. Dorsch (London: Penguin, 1984), p. 147.

would suggest, it referred more generally to “bearing” or “enduring” something, although, in the early 1500s, it already had the legal significance it was to acquire with the various “acts of toleration” mentioned earlier:

1510s, “permission granted by authority, licence,” from Middle French *tolération* (15c.), from Latin *tolerationem* (nominative *toleratio*) “a bearing, supporting, enduring,” noun of action from past participle stem of *tollere* “to endure, sustain, support, suffer,” literally “to bear,” from PIE **tele-* “to bear, carry” (see **extol**).¹²

However, even before these relatively modern usages, the Greek *pherein* and the Latin *tollere* were not only largely synonymous in their meanings but also literally the same, as evident in the perfect/pluperfect of L. *ferre*: for example, *Tuli/Tuleran*. So, the connection, in terms of their root meanings, between L. *tollere* and G. *pherein* is clear, not to mention the oft-noted connection between *transfere* and *translatio*, which is the literal “translation” of *metaphor*.

Yet, there is also clearly an opposition at work here, for “to bear” or “to endure” implies something largely negative, whereas “to carry over” in the sense of “metaphor” is not negative—unless you ascribe to Aristotle’s negative of view of metaphor as the “transgression” of literal truth as opposed to his more positive view of metaphor as “the greatest” <to *megiston*> of poetic/rhetorical tropes. And here we encounter a surprising connection to our discussion of “negative” versus “positive” freedom: just as Aristotle had to “put up with”—to tolerate—the poetic/rhetorical importance of metaphor and its “contamination” of literal language, he also recognized what Kant and others also saw as the positive freedom of thought from the ordinary way of saying things that metaphor provides. The reason for these contradictory views of metaphor is the same reason for the contradictory notions of “bearing” and “carrying” in metaphor and in tolerance itself as a “burden” that is nonetheless essential to positive freedom. In all these cases, whether involving freedom of thought or freedom of language, one must bear the burden of the ordinary, commonplace way of doing or thinking, which includes the burden of the innate, ordinary tendency to reject what is foreign or strange to us in order to be free for the exotic appeal of the foreign and “strange” which Aristotle defined in both the *Poetics* and the *Rhetoric* as the very *raison d’être* of metaphor. The poet is truly free when she discovers a new metaphor, and society is only free when it tolerates such freedom.

12 <https://www.etymonline.com/search?q=tolerance>.

Which returns us to Sisyphus and *his* incessant return to the top of a mountain, shouldering the burden of his rock to be truly free and “happy.” Sisyphus, as we discussed earlier, is the very embodiment of positive freedom in his refusal to bow to authority and, in particular, to the authority of Zeus, king of the gods. Such behavior could simply not be tolerated, for, if it were, humans would be truly free, and it is because of his unwillingness to yield to the will of the gods and their lack of tolerance that Sisyphus, despite having to continuously bear the burden of negative freedom, nonetheless represents the epitome of positive freedom and the tolerance that it requires.

Chapter 7

FREE SPEECH

The First Amendment to the Constitution confirms the close connection between political freedom and tolerance in general (discussed in the preceding chapter) with the freedom of speech:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech.

The chapter on “Academic Freedom” also relates directly to our analysis of free speech, as evident in the “Free Speech Movement” that began on the University of California Berkeley campus during the Fall semester of 1964. It is certainly no coincidence that the question of free speech should arise in these two “zones” of positive freedom (religion and academia), as well as in the more obvious contexts of government, whose deliberative bodies must allow for free and open debate to function properly, or even in art (the subject of the following chapter). In order to make this broad topic more manageable we will examine “free speech” first in the context of the “Free Speech Movement”; second, free speech in its governmental context (including freedom of the press) and, finally, we will examine the phenomenon of “small talk” in Melville’s *Bartleby the Scrivener* and Dostoyevski’s *Notes from Underground* [...] in order to determine whether it is possible, in our daily lives, to turn the adjective into a verb and to “free speech.”

* * * * *

The Free Speech Movement Set into the ground outside Sproul Hall, the building occupied by protestors during the height of the Free Speech Movement at UC Berkeley, there is a monument created in 1991 by the artist Mark Brest van Kempen to commemorate the events that took place there a quarter of a century earlier. The monument, or rather the disk,

[...] is located, appropriately, in Sproul Plaza. The monument consists of a six-inch hole in the ground filled with soil and a granite ring

surrounding it. The granite ring bears the inscription, “This soil and the air space extending above it shall not be a part of any nation and shall not be subject to any entity’s jurisdiction.”¹

The monument does not refer directly to the events of ’64-’65 but, rather, to the soil and to the air above it which belong to no one, not even to the University, the nation, or any institution or “entity.” In other words, it refers to freedom itself. One could even say that the disk is a declaration of independence from the Declaration of Independence and, indeed, from any “jurisdiction” whatsoever.

As mentioned, the academic context of this movement, which began on the Berkeley campus during the Fall and Spring semesters of 1964–1965, is significant. Indeed, the movement is often viewed as less about free speech itself than about this context and the role of protest on college campuses in general:

The Free Speech Movement was the first mass act of civil disobedience on an American college campus in the 1960s [...]. To this day, the Movement’s legacy continues to shape American political dialogue both on college campuses and in broader society, impacting on the political views and values of college students and the general public.²

Although the association of student protests with universities goes back as far as the Middle Ages, what is different about the Free Speech Movement is the convergence of external political concerns with those of the “free and ordered space” (Giamatti) of the university. Indeed, the Free Speech Movement began with students who wished to bring to campus their concerns about, first, the growing violence and injustices surrounding the Civil Rights movement and, later, those of the Vietnam war. One might suppose that it was in defense of the freedom of “higher education” to follow its purely academic pursuits that led the university administrators to ban overt political protests from campus, but the Republican-led state, which oversaw the system of higher education, argues against this, as does the more important notion that the freedom of higher education must include the freedom to protest as well as the freedom not to do so. (A similar situation exists in the public sphere of religious freedom discussed earlier, where there is an allowance for a certain degree of activism if it is consistent with the tenets of one’s religion—whereas the “politicization” of certain religions in favor of one party or candidate is clearly wrong.)

1 https://en.wikipedia.org/wiki/Free_Speech_Movement.

2 https://en.wikipedia.org/wiki/Free_Speech_Movement.

If the university, and all higher education, is to be the kind of free space referred to in the inscription on the Free Speech Monument, a space that has no allegiance to “any entity” other than the highest goals and aspirations of its participants, then the student takeover of an administrative building that was denying such freedom is not only warranted but also necessary. To prohibit such peaceful expressions of dissent is more of inhibition of freedom than the expression of same. Again, it would be tantamount to a church proscribing protests against something that denies what its members see as their religious duty. The larger issue that informed the Free Speech Movement, one that has only grown exponentially since the mid-60s, is whether the administration of a university is to govern the university or be governed by it, and whether the university is to be driven by its academic mission, which includes, as we have just maintained, the freedom to protest peacefully in the name of a higher truth, or whether, as has become more and more evident in light of the documented growth of university administrations, the university is to be run “like a business” in which students and faculty are relegated, in the words of Mario Silva’s famous address at Sproul Hall, to raw material and factory workers, respectively.

In opposition to anyone’s definition of “free speech” is anyone’s definition of a “loyalty oath,” which has no business in a supposedly free society and, in particular, within zones of positive freedom such as that of the university. Loyalty in such cases is earned, it is not mandated by those whose business is to serve its community, not to rule it. And yet, this was one of the sparks that kindled the fire that engulfed the Berkeley campus, and, indeed, the world. The first act of civil disobedience on an American campus was preceded by another first, namely, the institution of a mandatory loyalty oath by the Regents of the California system of higher education in the wake of the notorious persecution of so-called communists in the late 40s. Often lost sight of in reappraisals of this famous abdication of American freedom is the fact that when first instituted in 1949–50,

[...] thirty-one “non-signer” professors—including internationally distinguished scholars, not one of whom had been charged of professional unfitness or personal disloyalty—and many other UC employees were dismissed. The controversy raised critical questions for American higher education.³

3 http://www.lib.berkeley.edu/uchistory/archives_exhibits/loyaltyoath/index.html.

The absurdity of such mandatory “loyalty oaths” (one cannot insist upon loyalty without sully the very idea) demanded of university professors whose only allegiance is to the truth then spread, like many of the cultural changes occurring at that time, eastward across the country and continues to this day. For example, in the wake of 9/11 one professor’s criticism of American interventionism at the University of Colorado (Boulder) led, not only to his own dismissal on fabricated charges but also to a reaffirmation of the rule that all faculty had to sign their oaths forthwith or face immediate termination.⁴ There is no mistaking the fact that California’s requirement that its faculty all signed loyalty oaths as a condition of employment remained controversial long after its inception, festering in the minds of its faculty and leading, directly, to the school’s ban on free speech.

The Free Speech Movement is thus less about free speech itself than it is about the role of speech within the university, a place where, as we have seen, one must be free to pursue the truth nonviolently in itself without external constraint. In this respect, it is possible to hear the stirring words of Mario Silva spoken in front of Sproul Hall the way one hears the speeches of Greek tragedy, which were also spoken to “the people” in front of the building housing the prevailing authority—*tyrannos*, or *basileus*—within. For, in the context of a democratic Athens, such speeches always symbolized freedom *from* the oppression of an unjust monarch and *for* the honor of the people’s god—Dionysus—the god who represented, not only freedom in general (*eleutheria*) but also “free verse” in the form of the wildly lyrical dithyramb. Indeed, if the song is defined as a reversal of the usual order of things where “meaning-less” (actually, “meaning-more”) melodies prevail over and above “meaningful” lyrics,⁵ then it is probably no coincidence that in the very same year, and in the very same state, that Mario Silva stood outside the door of Sproul Hall and delivered his stirring address—his free speech in honor of free speech—another charismatic young man stood outside the Doors “of perception” in the name of freedom and Dionysus.

Free speech in its governmental context (including freedom of the press). As mentioned in the preceding chapter on “Political Freedom?,” there are no references to freedom whatsoever in the Constitution proper, and while the word and its derivatives do appear in the later series of amendments referred to as the “Bill of Rights,” there are only four references to the notion therein, three of which occur in the one periodic sentence of the First Amendment (the fourth being only a passing reference to a “free state” in the Second Amendment).

4 <http://www.freerepublic.com/focus/f-news/1351914/posts>.

5 I discuss the proper role of song lyrics in my book on *Synaesthetics*.

Thus, any discussion of the role of free speech in government and in the Press must begin by examining this Amendment carefully:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

The reference to freedom of religion is an obvious hold-over of the various “Acts of <Religious> Toleration” which followed in the wake of the Mayflower during the 150 years prior to the writing of the Constitution itself. Although two further independent clauses, separated by semicolons, follow, all three join with freedom of religion in being symbolic. All four freedoms mentioned—religion, speech, press, and peaceful protest to express “grievances”—are essentially speech acts, as opposed, for example, to the right to bear arms mentioned in the Second Amendment. As Locke had maintained in his earlier *Letter on Toleration*, the government has no business curtailing such essentially peaceful and symbolic gestures so long as they remain peaceful and symbolic.

And yet, as Locke also maintained, this does not mean that these zones of positive freedom are powerless; indeed, religion and the other modes of positive freedom as well are all ultimately more powerful in dealing, albeit symbolically, with the pursuit of higher truths that, as Locke maintained, are more important than more temporal matters. Defined this way, *freedom of speech is not the negative freedom of saying whatever one likes but, rather, the positive freedom of saying what one knows to be true*. Likewise, freedom of the press is not the negative freedom of printing whatever one likes but, rather, the positive freedom of printing what one believes to be true.

Individuals pursuing what they deem to be the truth, collectivities engaged in peaceful protest, and the Press are all like religion in being free from the very laws (“No Laws [...]”) that otherwise constrain them. Such freedom is constrained not by punishments or threats of punishment, but by adherence to a higher power that is not freedom *from* the law but freedom *for* something greater. Like the artist struggling with her craft, freedom from technique is only achieved by perfecting, not rejecting it. The right to bear arms described in the subsequent Second Amendment is arguably less important for protecting freedom than the First Amendment’s right to speak freely against the law in pursuit of the truth. No wonder, then, that in recent times the government is far less worried, and even supports, the citizenry arming itself to the teeth than it is about the Press fulfilling its sacred oath to report the truth and arming itself, not with bullets, but with words.

While the First Amendment refers largely to the freedom of the people and the press to criticize the government from *without*, what about the freedom of the government to criticize the government from *within*? It might seem that the sacred duty of making laws for others to follow not only allows for but also requires legislators to follow no law themselves other than those that are meant to facilitate, rather than inhibit, free speech. While God and/or the gods are free to make laws for others to follow while being, themselves, free from any such law, this is also true of those whose sacred duty is to legislate based on their own positive freedom to make laws restricting the freedom of others ("negative freedom"). The Constitution itself, and its amended "Bill of Rights," followed countless meetings by the country's founders whose only mandate was to debate freely the best way to maintain that freedom.

It is no surprise, then, that some find themselves wistfully pining for a supreme leader or monarch who is free to decide, solely and even arbitrarily, what laws shall be passed to inhibit others' freedoms without having to accommodate the will of many different "monarchs" with their own ideas about such laws, ideas which are bound to conflict with those of others. But, as everyone knows, the founders of our country and the framers of our Constitution had no such nostalgia for monarchism and its obvious abuses. Indeed, if there is an essential thrust to our democracy—and other democracies—it is the realization that to preserve positive freedom one must, paradoxically, also subordinate it to the positive freedom of others.

A strange thing indeed, and one might wonder if this amalgam of positive and negative freedom, of freedom to govern while obeying the will "of the people," of the freedom to speak freely while also deferring to others' freedom to do the same, is even viable, but, of course, that is precisely the point. Democratic freedom is a veritable contradiction in which the separation, the gap, between positive and negative freedom, between the freedom to speak freely and the negation of that freedom by others who may also speak freely, becomes the essence of a system that is defined by its own lack of definition.

One might wonder if governing by consensus is really free, and how it compares to other examples of positive freedom. In Plato's Academy, which was also the beginning of "academia," consensus is readily apparent in several ways. First, the community of "scholars" gathered in Plato's family's olive grove were there "by invitation only," and subsequent to membership in this group, consensus with regard to the protocols of argumentation and the degree to which the truth of any given subject had been realized were all a matter of consensus. (Plato/Socrates' greatest contribution to the history of philosophy and, for that matter, science, was replacing rhetorical persuasion with the consensus of one's interlocutor or audience in general.) And while it might be argued that Christianity, beginning with Jesus himself, is more a matter of governing

by fiat than by consensus, there is always, in that religion as well as others, a certain necessary consensus after the fact in the form of followers who freely consent to join a particular religious community. Similarly, while art, like religion, is usually created by gifted individuals whose affinity with a particular “school” of like-minded individuals is often tenuous at best, such individual freedom is limited initially by “membership” in a certain tradition (even Nietzsche had his Schopenhauer!) and, later, by the consensus of those who agree with the value of one’s particular contribution to that tradition. All of which is to say that “positive freedom” is never easy, and even creative, inspirational works that might seem to come to us *ex nihilo* require the kind of arduous consensus that is also part of the positive freedom of governing. “Il faut imaginer Sisyphe heureux.”

* * * * *

Small Talk: or The Art of Surviving in Public. Moving from the public to the private sphere we will now address the question of how free one is to speak one’s mind in everyday life. Can one speak freely, and, if so, in a positive or merely negative sense, that is, can one ever speak with the absolute freedom to say what one truly believes to be the “highest” truth, and/or can one even speak with the negative freedom merely to speak without outside constraint? A difficult question, to be sure, for it is one that touches upon the very nature of speech in general, as opposed to speech in the positive “zones of freedom” discussed thus far. We will begin by examining the question of “free speech” in two famous mid-nineteenth century novellas (Melville’s *Bartleby the Scrivener* and Dostoyevski’s *Notes from Underground*) before turning to the question of everyday speech in general, and “small talk” in particular.

Bartleby the Scrivener. It is no wonder that philosophers who by and large tend to ignore specific works of art are drawn to Melville’s classic novella.⁶ The appeal to philosophers and the philosophically minded is because, despite its formal realism, it is more a novel of ideas than one of the plots or characters. When, for example, we meet the cook who is prepared to attend to Bartleby’s culinary needs during his confinement he and his wife are introduced to us, and to Bartleby, as Mr. and Mrs. Cutlet. The point being that Melville is less interested in the narrative’s verisimilitude than he is in what the various character types represent, and how they serve to deliver the author’s ideas. In this respect, “philosophical novels” such as Voltaire’s *Candide* or Melville’s *Bartleby* reverse the more usual order of things in which ideas are subordinated to the story and its characters.

6 See, for example, Giorgio Agamben’s excellent analysis in *The Coming Community* (Minneapolis: University of Minnesota Press, 1998), pp. 35–38.

While the philosophical idea of Voltaire's novel is its obvious excoriation of Leibniz's notion of this being "the best of all possible worlds," the meaning of *Bartleby the Scrivener*⁷ and its protagonist's famous unwillingness to perform certain parts of his job while excelling in all the others is less obvious. While many readers of this classic have pondered the meaning of Melville's strange message, we will attempt to shed new light on this famous work by approaching it as a commentary on freedom, and in particular free speech, in the context of everyday life.

Bartleby, as mentioned, is not a "real" character relative even to other fictional characters but, rather, the personification of an idea, and that idea is precisely that of freedom in everyday life. If by everyday life we mean the usual order of things, the usual way of saying and doing things, then such life, however much comfort we derive from its customary rules and procedures, is utterly devoid of freedom. It may well be, indeed it must be, compatible with freedom to do what one wants (negative freedom) or to accomplish something great (positive freedom), but the quotidian is, by definition, the way things already are, rather than the way things might be. It is, in a word, what we are used to. And while this particular "use-function" is perfectly adequate for accomplishing all the practical matters that we encounter on a daily basis, there must be, as they say, "more to life than that." As Kant had argued a half-century or so earlier (Kant's ideas percolated in the minds of the American Transcendentalists of the early nineteenth century), use-function has nothing to do, for example, with the perfectly useless beauty of art or the perfectly useless sublimity of nature. Positive freedom, as Kant also argued, is unique to humans as utterly separate from the use-function of everyday life in our ability to say, or think, or do things in accordance with what we believe to be their higher, "divine" truth, as we do when, for example, we worship gods or works of art that perform no use-function whatsoever.

If there is no freedom in the usefulness of everyday life, and there is no real free speech in everyday life, there is, after Kant, the freedom to ignore everyday life in thinking, doing, or speaking *otherwise*, and it is precisely this "otherwiseness" that can explain the mystery of Bartleby's odd behavior. Immediately preceding the first utterance of his famous "I would prefer not" to his employer's request to perform a particular task, the employer/narrator reflects on the fact that the scrivener's job entails not only copying a document but also "proof-reading" his and sometimes other scrivener's copies:

It is, of course, an indispensable part of a scrivener's business to verify the accuracy of his copy, word by word. Where there are two or more

7 <http://moglen.law.columbia.edu/LCS/bartleby.pdf>.

scriiveners in an office, they assist each other in this examination, one reading from the copy, the other holding the original. It is a very dull, wearisome, and lethargic affair. I can readily imagine that to some sanguine temperaments it would be altogether intolerable.

But then, to drive home his point, the narrator adds the following literary allusion:

For example, I cannot credit that the mettlesome poet Byron would have contentedly sat down with Bartleby to examine a law document of, say five hundred pages, closely written in a crimping hand.

The reference to one of the most famous and famously dissolute romantic poets is significant, particularly as it comes right before Bartleby's first refusal to do his job. But it is not really the case that Bartleby is being compared to Byron, first because he is merely a "scrivener" and, second, because he is himself described throughout the novella as "pallidly neat, pitiably respectable, incurably forlorn"; in other words, there is absolutely nothing "sanguine" or "mettlesome" about him. Thus, one would be hard-pressed to argue that Bartleby is the embodiment of positive freedom in the manner of Lord Byron, who not only lived it but also died doing so.

If Bartleby is not the embodiment of positive freedom the way Byron and other romantic poets were, and as great poets always are, that does not mean that he does not represent a mid-nineteenth century version of his romantic predecessors. For by the time Melville is writing this and other famous works the period of "high romanticism," whose flights of fancy could best be embodied in lyrical forms, has given way to the more prosaic, realism-based novels and novellas of the early modern period. Bartleby, in other words, is no Byron, but he is, I would claim, the modern, industrialized version of the same. In the new utilitarian world which basically ended romanticism the way that climate change ended the dinosaurs, one can no longer realistically escape into the Absolute of "Nature" but one can, at least, pine for such freedom in ordinary life or, as artists like Melville, Dickens, Flaubert, Dostoyevski and others did, create works of art that found new positive freedom in art itself—"art for art's sake"—rather than in nature.

Bartleby represents, then, the newer "immanent transcendence" of artists whose positive freedom is inseparable from the merely negative freedom of the modern, industrialized world. He is to Melville—who is, after all, also a "scrivener" of sorts—as the immanent transcendence of modernism's new realism is to the more positive transcendence of high romanticism,

a movement which, if no longer viable as such, informs artist like Melville who continues to pursue the “white whale” of a divine Absolute whose loss is its very reality.

Having made numerous attempts to fire Bartleby and only finally succeeding by relocating his office in the hope that Bartleby will simply not reappear, the Narrator, whose affection for the man is almost equaled by his exasperation, visits Bartleby during his confinement in the “Tombs” of New York City, where he discovers his associate’s lifeless body:

The yard was entirely quiet. It was not accessible to the common prisoners.

The surrounding walls, of amazing thickness, kept off all sounds behind them.

The Egyptian character of the masonry weighed upon me with its gloom. But a soft imprisoned turf grew under foot. The heart of the eternal pyramids, it seemed [...]

“Eh!—He’s asleep, aint he?”

“With kings and counselors,” murmured I.

Like the reference to *Lord Byron*, the two references to ancient Egypt here are telling, for like the ancient pharaohs of old, the aristocratic (“with kings and counselors”) Bartleby, whose indifference to the rules governing everyday life is matched only by his gentle insouciance, has no place in a society where such freedom is severely curtailed, if not nonexistent altogether. It was Freud who maintained that absolute freedom is only fully achieved twice in one’s life: during the first year of life, before language and the first “No” of weening occurred almost simultaneously, and when one realizes, when dying, that every objective reality, including the reality of death itself, is soon to be lost forever. And so we should not be too surprised to learn, in the brief “epilogue” following Bartleby’s death, that he had previously worked in the “Dead Letter Office at Washington,” where letters that had been sent to the dead or dying were sent to be opened and destroyed:

Dead letters! does it not sound like dead men? Conceive a man by nature and misfortune prone to a pallid hopelessness, can any business seem more fitted to heighten it than that of continually handling these dead letters, and assorting them for the flames? For by the cart-load they are annually burned. Sometimes from out the folded paper the pale clerk takes a ring:—the finger it was meant for, perhaps, moulders in the grave; a bank-note sent in swiftest charity:—he whom it would relieve, nor eats nor hungers anymore; pardon for those who

died despairing; hope for those who died unhoping; good tidings for those who died stifled by unrelieved calamities. On errands of life, these letters speed to death. Ah Bartleby! Ah humanity!

Long before his actual demise Bartleby, it seems, had been marked for death, and so his famous “I prefer not” is an effect, not the cause, of his freedom from all the usual “correspondences” of life. “Humanity,” it appears, cannot speak freely unless it is willing to cut all ties with everyday life.

Notes From Underground.⁸ “Small talk” can be defined as speaking but not talking about what one really thinks, or saying what one really means. Although, as one would expect, Bartleby steadfastly refused, among other things, to engage in small talk, that is also because small talk rarely occurs in fiction, and, when it does, it is bracketed as such and so has meaning whereas small talk in real life has no real meaning whatsoever. Small talk has no relation to freedom of any kind, be it positive or merely negative. It is the very antithesis of the antiquotidian nature of “free speech,” which is why it is worth examining here. Although small talk, which despite its ubiquitous presence is rarely talked about as such, can be approached in several different ways (sociologically, psychologically, anthropologically, linguistically, etc.), the hope here is that we can say something new and interesting about a subject that is neither new nor interesting by comparing it to the freedom that it is utterly lacking.

If “everyday life” is where positive freedom in general and free speech, in particular, go to die, then there is a clear connection between everyday life and small talk, although, to be sure, small talk is a particular subspecies of the former. Small talk is preeminently social discourse; it occurs most frequently in typical social situations large or small, and can even occur in the company of one other person with whom one has no real, meaningful relationship. It cannot, I believe, occur with oneself in that form of discourse sometimes referred to as “inner speech,” because the need to comply with the social convention to “just say something!” is lacking—it is hard to imagine someone engaging in small talk with themselves. Indeed, for many people (although not for all) there is a sort of inner agony that occurs when one engages in small talk because of its utter lack of freedom to say something even as meaningful as what one says to oneself.

8 Collected in *Classics of Modern Fiction*, ed. Howe (New York: Harcourt Brace Jovanovich, 1980).

And yet, if it were not the case that one could speak meaningfully then the “inner agony” of having to engage in small talk would probably not occur. In another famous novella from the same period as Melville’s—it is separated from it by a mere seven years—we witness a terrifyingly humorous instance of the nameless, “Underground Man’s” utter failure to perform the kind of small talk engaged in by his less intelligent companions. Indeed, intelligence—or lack thereof—is one of the keys to understanding this episode as well as small talk in general. For we are told that although Zverkov, the leader of a group of “friends” with whom the Underground Man is desperately trying to ingratiate himself, “was always bad at his lessons and got worse and worse as he went on” (p. 56). [...] He was, however, also “a specialist in regard to tact and the social graces” (p. 57, whereas the “Underground Man,” whose intellectual superiority is acknowledged by the others as well as vaunted by himself, is utterly lacking in these skills.

Even at sixteen I wondered at them morosely; even then I was struck by the pettiness of their thoughts, the stupidity of their pursuits, their games, their conversations. They had no understanding of such essential things, they took no interest in such striking impressive subjects, that I could not help considering them inferior to myself. (p. 61)

Is small talk, as the narrator seems to claim, really a sign of stupidity? One should not assume that merely because such a statement smacks of a certain arrogance that it is untrue, for, after all, it is called *small* talk for a reason. [...] Indeed, there seems to be something mechanical and therefore effortless in its mindlessness while, conversely, the more one thinks about what one is saying when engaging in small talk the harder it is to engage in it. For this reason, small talk is the very opposite of wit, for wit requires intelligence whereas small talk eschews it.

One might conclude from this that the effortless utterances of mindless “chit-chat” are closer to freedom than the intense suffering demonstrated by the Underground Man as he struggles to survive the social gathering to which, as a further sign of his lack of social skills, he had to invite himself:

They talked of the Caucasus, of the nature of true passion, of snug berths in the service [...] of the extraordinary grace and beauty of a Princess D., whom none of them had ever seen; then it came to Shakespeare’s being immortal [...] I smiled contemptuously and walked up and down the other side of the room, opposite the sofa, from the table to the stove and back again. I tried my very utmost to show them that I could do without them, and yet I purposely made a noise with my boots,

thumping with my heels. But it was all in vain. They paid no attention. I had the patience to walk up and down in front of them from eight o'clock till eleven, in the same place, from the table to the stove and back again [...]. During those three hours I was three times soaked with sweat and dry again. At times, with an intense, acute pang I was stabbed to the heart by the thought that even in forty years I would remember with loathing and humiliation those filthiest, most ludicrous, and most awful moments of my life [...] Once—only once—they turned towards me, just when Zverkov was talking about Shakespeare, and I suddenly gave a contemptuous laugh. I laughed in such an affected and disgusting way that they all at once broke off their conversation, and silently and gravely for two minutes watched me walking up and down from the table to the stove, taking no notice of them. (p. 70)

“In the room the women come and go/Talking of Michelangelo,” as another modernist misfit famously proclaimed. Mindless small talk is bad enough, but when it touches on great art, whether it be Shakespeare for Dostoyevski or Michelangelo for Eliot, it becomes too much to endure: Prufrock is driven to contemplate suicide, whereas the Underground Man seemingly undergoes the sufferings of the “stations of the cross” during the three hours he is forced to march back and forth while the others amuse themselves. If Zverkov and his circle’s mention of Shakespeare is the tipping point, it is because *great* art—and that would include, of course, this very novella—is the very opposite of *small* talk. As the epitome of positive freedom great art involves the suffering one must endure creating something greater than what one already is, in other words, something “divine,” whereas small talk merely requires one to “throw in the towel” of such aspirations and accept, as most do, that there is nothing more to life than what already is, and what can be said without any struggle whatsoever.

Indeed, the question of “life” occurs several times in this episode, as well as returning in the text’s triumphant epilogue where the Underground Man declares that, however, despicable he may be, “there is perhaps more life in him” than in the sort of social “movers and shakers” we encounter in this episode with Zverkov and his circle. “I was only a dreamer, while they even then had an understanding of life. They understood nothing, they had no idea of real life ...” To “understand life” is to excel in the sort of small talk that is necessary for “surviving in public,” whereas “real life” is the provenance of the Underground Man’s struggle to free himself from such a life, and such an understanding—as we saw in the case of *Bartleby* it is, in a word, to die in order to be reborn (hence the “underground”) and to be truly alive: “So this is it, this is it at last, contact with real life” (p. 72).

If the Underground Man, like *Bartleby*, has more life in him than can be found in a public sphere where small talk abounds, the price to be paid for both protagonists' attempts to "free speech" from such conventions is high. The Underground Man is acutely aware from the beginning that he is less successful in societal terms than the others:

The worst of it was that on the knee of my trousers was a big yellow stain. I had a foreboding that that stain would deprive me of nine-tenths of my personal dignity. I knew, too, that it was very poor to think so. (p. 63)

It is this sense of social inferiority that the Underground Man hopes to overcome by attending the party. If small talk is defined as "the art of surviving in public" then the Underground Man's failure to succeed in the kind of small talk he so desperately wishes to engage in is a sign of his inability to survive there. However, as we have often noted, negative freedom is not real freedom, and if the freedom from small talk is merely negative because based upon society's, rather than one's own, sense of power, then what is the relation of small talk to real, positive freedom? The answer, in this case, is to be found in Dostoyevski's work itself, that is, in the relation of Dostoyevski's own "first-person" to his nameless first-person narrator. For *Notes* is not just any work of fiction; it is, by all accounts, a "classic" and, one might even say, a "classic's classic"; it not only forever changed the nature of fiction but, more importantly, its feverish apoplexy touches still our deepest thoughts and souls. If "negative freedom" is freedom *from* the burden of small talk, then "positive freedom" is the freedom *for* small talk if and only if it is recognized as such. One must imagine the artist gleefully writing about the horror we all feel at trying to impress others at the expense of impressing ourselves. In the Epilogue of Dostoyevski's work the Underground Man declares that, in his abject failure to be socially acceptable, he has found the "real life" of positive freedom that can only exist outside small talk and other such conventional modes of (non)being. "We must imagine the Underground Man, and *Bartleby*, and ourselves, happy," because of, not despite the insufferable nature of social discourse. We must, in other words, free speech.

Chapter 8

ARTISTIC FREEDOM: BEETHOVEN

Beethoven's criticism seems largely taken up with the question of Beethoven as the quintessential romantic composer who broke the rules and opened up "a new path" (Beethoven) that forever changed classical music, and those who see him as the logical culmination of what came before him. The truth, as even those who take one or the other side of this argument tend to agree, is somewhere in the middle. If this makes writing on Beethoven difficult, it is nothing compared to the difficulty of writing about music at all. Of all the arts, music is the most recalcitrant to anything other than a formal analysis that tells us nothing about the real content or significance of the work or works in question. Indeed, nothing that one can say about a piece of music is anything other than something "about," or outside the experience itself, whereas, in the case of literature or the plastic arts there is, at least, an object of some sort that one can hold on to even if, truth be told, that object is not really the object one is talking about—Magritte's title applies as well to all works of art as it does to his famous pipe. But, in the case of music, it is not just that, like all art, it "means what it says but never says what it means," but that music goes even further in not only never saying anything but also in never being anything. In its state of constant motion, it goes further than the temporal component of narratives in never pausing to identify any of its characters, its plot, etc.

It appears, then, that we have painted ourselves into a corner by acknowledging the utter impossibility of our task if it is to write meaningfully about music in general or about Beethoven's music in particular. But there is promise in the fact that, while music may only exist at the moment, freedom, too, "is <only> a moment."¹ Throughout this work we have distinguished between negative freedom that is easily definable (freedom from this or that) and positive freedom that, while less easily understood, can still be defined as our desire to act in accordance with our highest aspirations—our desire, as it were, to follow the Absolute within us. If, as Walter Pater claimed,

1 Daniel Chua, *Beethoven and Freedom* (New York: Oxford University Press, 2017), p. 66.

“all art aspires to the condition of music,” then it is to music, and to Beethoven’s music in particular, that one should look for the highest example of positive freedom’s desire to exist in our highest, most “divine” state of being. And so, while we will not claim to solve the problem of writing about music in general or Beethoven in particular, we can attempt to write about music, and Beethoven, as the ultimate embodiment of positive freedom.

Before beginning our discussion of Beethoven, let us consider further the idea that music is the highest form of positive freedom relative even to the other artistic media and “zones” of positive freedom referred to in this work. Sisyphus has been repeatedly invoked here as Camus’ example of the artist who toils incessantly to overcome the rock—the principle of gravity that propels us downward and thus keeps us from floating upwards—of our mortal, earth-bound existence. We can compare Sisyphus’ rock to his musical instrument, that is, to the material “stuff” that one must embrace as Sisyphus embraces his rock in order to destroy it and float upwards in a state of blissful ecstasy (“one must imagine Sisyphus happy”). If one were to object that the “serious” musician loves his instrument, remember that (a) Sisyphus, too, also “loves” his rock, and (b) there are countless examples of great artists—one thinks of guitarists like Django Reinhardt and Jimi Hendrix—who care not a whit what instrument they play, and who may, as in the latter example, even destroy it

Religion, as has been discussed, is a particularly important “zone” of positive freedom. It is certainly not negative freedom “from” something, but, quite the contrary, imposes upon the believer arduous tasks requisite to becoming “divine, if any mortal can.”² Moreover, as was discussed earlier, our own country was founded on the principle of religious tolerance as a way of acknowledging the freedom of religion separate from the more practical realities of everyday life. Music has, of course, often been a large part of such religious practices, but that aside, the transformation of all music into “sacred music” at the end of the eighteenth century and, in particular, Beethoven’s (and other romantics’) insistence on music as its own “absolute” would lead one to conclude that even if music is viewed as “mere” entertainment that would imply, as the word itself suggests, freedom from any practical reality. Indeed, the close association of music with dance, which is itself a kind of “floating” and/or acceleration of one’s normal “gait,” also points to music—even the “frozen music” of architecture like that of Gaudi—as freedom.

As we discussed earlier, the goal of higher education is not the practical one of acquiring something tangible or even, as often claimed, of acquiring

2 Diotima’s speech in *The Symposium*.

knowledge, but rather it is the “zone” of *liberal* arts and its freedom from all previously accepted truths. This does not mean that one must not learn what those precious accepted truths are but, rather, that one must study them to free oneself from any limitation on exactly what those truths are. We read and reread Homer, not because he is a “classic,” but because his and other great works reaffirm themselves as classics by not being subject to the limits of any objective determination of their “truth.” “Higher education” is really no different from a musical education in which one learns from one’s models not in order to “have a career” or in order to acquire their skills or techniques but, rather, in order to go beyond those and free oneself from those selfsame skills and models. As has often been stated, the goal of a liberal arts education is not to acquire knowledge of something but rather to learn how to think for oneself. The goal of musical education, whether formal or otherwise, is the same.

Let this suffice to show that, whether one accords music the highest status among the “sister arts” as the ultimate embodiment of positive freedom or whether one merely acknowledges it as one of the various forms of “artistic freedom” and “positive freedom” in general, it is its very ineffability that makes music impossible to talk about that also leads one to consider freedom as music, and music as freedom:

Loudly and recklessly rises the cry of the Beethovenian subject whom nothing in this illusory life satisfies, who stands above even the highest level of what the real world can encompass, who like the genius of music itself is exemplified or welcomed nowhere in the world [...]. “For only in Beethoven does the self advance further toward the discovery of that certain ground that perhaps extends all the way into the final God [...]. Here We and the Absolute finally meet in the spirit of music” [...]³

* * * * *

In the following analysis of the music of Beethoven as embodying this ideal of absolute freedom, we will focus on the relation of “absolute music,” which is first associated with Beethoven,⁴ to the contemporaneous notion of art’s relation to the Absolute begun by Kant and nurtured in the subsequent writings of the later German Idealists like Schelling, Fichte, Hegel, and a host of lesser-known thinkers. After discussing this historical context our

3 Bloch, *The Spirit of Utopia*, “The Philosophy of Music,” p. 65.

4 See *Beethoven*, William Kinderman (New York: Oxford University Press, 2009), p. 4.

principal guide will be E.T.A. Hoffmann, another German romantic whose extraordinary writings as the “unrivalled master of the uncanny” (Freud) have largely overshadowed his career as a musician, composer, and music critic who was one of the first to champion Beethoven as the quintessential embodiment of romantic genius.

In *Beethoven and Freedom* Daniel Chua maintains that because of philosophy’s inherently conceptual nature it can only go so far in grasping freedom:

[...] art makes sense of freedom (literally). Beethoven’s music therefore realizes the experience of freedom as if to compensate for philosophy’s lack of empirical access. It is an incarnation of thought, a materialisation of the immaterial.⁵

Although Hegel considered this “materialization of the immaterial” or “sinnliche Erscheinung der Idee,” a deficiency, others, such as Schelling, agree with Chua’s claim that this materiality constitutes the very *raison d’être* of art’s embodiment of absolute freedom that cannot be known as such. Whether one sides with Hegel or Schelling, both accepted the relation of art to the Absolute that led, quite naturally, to the elevation of music as, according to Schopenhauer, the most metaphysical of the arts.⁶ It is no coincidence that the rise of absolute music and the rise of the “aesthetic absolute” in philosophy occurred together. As a result, one can claim that Beethoven’s “genius” would be impossible outside of its historical context—which is not, of course, to detract one iota from Beethoven’s greatness.

Chua goes on to discuss the *Eroica* as particularly emblematic of this notion of freedom:

Beethoven’s claim to greatness in the *Eroica* is founded on an experience of freedom that philosophy could not provide: it made a freedom that was unavailable to knowledge palpably present. When Kant declared that “the inscrutability of the idea of freedom entirely precludes any positive sensible presentation [Darstellung],” he created an identity crisis: freedom, the moral core of the subject, could only be thought but not known. (pp. 36–37)

It is a particular moment of silence that epitomizes the notion of *freedom* that pervades the entire work: “Structurally, this momentous blank

5 Chua, pp. 4–5.

6 See “Schopenhauer and the Metaphysics of Music,” collected in *The Oxford Handbook of Schopenhauer* (Oxford: Oxford University Press, 2020), pp. 256–270.

<in the *Eroica*> falls on such a strong hypermetric downbeat that Grosvenor Cooper and Leonard Meyer proclaim it to be the ‘loudest silence in musical literature’.” (p. 38). If this is the “loudest silence in musical literature,” louder even than the more conspicuous silence in Cage’s famous piece, it is because it is encased within a work that is as free as the silence it contains, a work whose “heroism” is defined by the very silence that accompanies the individual’s relation to the Absolute.

One cannot talk about the relation of Beethoven’s music to the “aesthetic absolute” in German Idealism without noting how philosophy and artworks relating to the sublime also paralleled Beethoven’s career. Referring to a benefit concert in which the Choral Fantasy was preceded by the Fifth Symphony Chua writes:

Clearly the gods made an early appearance in 1808, bestowing their “divine grace” on the audience in a work that foreshadows the finale of the Ninth Symphony. So “Kraft” in Beethoven’s formulation is both sublime and divine. It is the sonic equivalent to Kant’s concluding lines of the Critique of Practical Reason that Beethoven scribbled in his notebook, connecting the subject (the sublime within) to its heavenly calling (the divine above): “Two things fill the mind with [...] admiration and awe: the starry (p. 50) heavens above me and the moral law within me” (p. 50).

Although Burke’s Enlightenment treatise on the “Sublime and the Beautiful” belongs more with the Classical period that preceded Beethoven, it was with Kant and the later German and English romantics⁷ that the idea of sublimity came into its own in challenging the more tranquil and serene classical notion of beauty that, rightly or wrongly, had previously dominated art. As many writers have noted and as must seem obvious to anyone familiar with Beethoven, his works immediately conjure up the sublime as its very musical equivalent in the same way that Turner’s paintings immediately conjure up the sublime as its pictorial equivalent. But if one were to object that Beethoven’s music is also beautiful, that merely confirms statements by Schelling and others that everything which is beautiful is also sublime, and vice versa.⁸

7 Coleridge, it turns out, borrowed from Hoffmann almost as freely as he famously borrowed from Schelling and Fichte. See *E.T.A. Hoffman’s Musical Writings*, ed. Charlton (Cambridge: Cambridge University Press, 1989), pp. 74–75.

8 “The truly and absolutely beautiful is invariably also sublime, and the sublime (if it is truly so) is beautiful as well.” *System of Transcendental Idealism* (1800), tr. Heath (Charlottesville: University Press of Virginia, 1978), p. 226.

Kant famously links freedom and sublimity in his 3rd *Critique*, where the two are conjoined in their eschewal of Understanding (*Verstand*) in lieu of Reason's (*Vernunft*) potential to strive for an Absolute—call it God or call it Being—that can be “thought but not known”⁹. To say, then, that Beethoven is the very epitome of the sublime in music is also to say that Beethoven is the very epitome of freedom in music—not the merely negative freedom *from* tradition but, more importantly, the freedom *for* something greater than ourselves. As Elizabeth Brentano, a friend of Goethe's and possibly Beethoven's “immortal beloved” reported Beethoven as saying:

When I open my eyes I must sigh, for what I see is contrary to my religion, and I must despise the world which does not know that music is a higher revelation than all wisdom and philosophy, the wine which inspires one to new generative processes, and I am the Bacchus who presses out this glorious wine for mankind and makes them spiritually drunken. When they are again become sober they have drawn from the sea all that they brought with them, all that they can bring with them to dry land. I have not a single friend, I must live alone. But well I know that God is nearer to me than to other artists; I associate with Him without fear; I have always recognized and understood Him and have no fear for my music — it can meet no evil fate. Those who understand it must be freed by it from all the miseries which the others drag about with themselves.

Or, as Beethoven himself wrote:

Speak to Goethe about me. Tell him to hear my symphonies and he will say that I am right in saying that music is the one incorporeal entrance into the higher world of knowledge which comprehends mankind but which mankind cannot comprehend.¹⁰

The world which “comprehends mankind but which mankind cannot comprehend” is precisely that of the supersensible thing-in-itself, the All of which we are a part but which, as only a part, we can never fully comprehend. This is also clearly defined by Kant and by Schelling as the divine basis of

9 “We cannot know, <yet> we can think things-in-themselves.” *The Critique of Pure Reason*, tr. N.K. Smith (New York: St. Martin's Press, 1965), p. 27.

10 Both quotes are from W. N. Sullivan, Beethoven: His Spiritual Development (New York: Alfred A. Knopf, 1927), pp. 3–4.

human freedom, for it is the origin of our desire to be our highest selves, our “better angels,” and not merely the limited self that is “always already” what it was and therefore never truly transcendent.

There is a well-known anecdote in which Beethoven rebuked his own piano students if they were overly concerned with technical perfection. “Don’t worry about missing notes here or here,” he told them, for their primary concern should be with the spirit, and not the “letter,” of the work in question.¹¹ The anecdote also serves to remind us that freedom—the spirit—cannot be achieved by merely following the “letter of the law” in order to achieve perfection when such perfection is defined as correctness. In a letter to his “patron and pupil Archduke Rudolf”¹² Beethoven wrote:

[...] “freedom and progress are the aims in the world of art as in the whole great universe.” Modern music, he continues to argue, is committed to the configuration of new possibilities rather than the mastery of old techniques. It was less perfect but more progressive in its yearning for perfection.

Absolute freedom, whether it is achieved through art or through religion or through higher education, cannot fret over lesser forms of perfection if its goal is to create, rather than to recreate. No one would dare censure Miles Davis for missing a note, or Joan Mitchell for allowing her brush strokes to drip down her paintings, or Hitchcock for using a painted backdrop, not when they should be absorbed in something that is free from all such rules. Finally, one should also note the important term “progress” here, for it, too, refers to freedom *for* something hitherto unknown as opposed to freedom *from* something already realized. Recalling the previous chapter, we might say that Beethoven’s notorious unwillingness to engage in “small talk” was only possible because, like Dostoyevski, he too was able through his art to exist far above it.

* * * * *

11 One of Beethoven’s students recalled: “If I made a mistake in passages or missed notes and leaps which he frequently wanted emphasized he seldom said anything; but if I was faulty in expression, in crescendos, etc., or in the character of the music, he grew angry because, as he said, the former was accidental while the latter disclosed lack of knowledge, feeling or attentiveness.” Quoted in Beethoven the Teacher, *Eliana Murphy. The American Music Teacher. Volume 58, Issue 5. Apr/May 2009.* The opposition between the “spirit” and the “letter” is something of a commonplace in German romanticism; see, for example, Schelling’s *Briefe über Dogmatismus und Kritizismus* (1795).

12 Quoted by Chua, p. 40.

In his sarcastic essay on “Thoughts about the Great Value of Music” E.T.A. Hoffmann ridicules the uses—and abuses—of music when it becomes an accompaniment to “real life” (so-called “background music”) or when, equally as bad, it is listened to or played as “an idle pastime, to be given up when older and left to professionals who rather foolishly I admit devote their entire lives to an occupation serving merely to amuse and distract” (p. 94). If, however, some of those same professionals mistakenly take their “idle pastime” too seriously an even worse fate awaits:

Many of these unhappy dreamers have awoken from their delusions too late, and as a result have decayed into mild insanity, as one can very clearly observe from their utterances about art. They think, for instance, that art allows men to sense their higher destiny, and that it will lead them from the futile hurly-burly of everyday life into the Temple of Isis, where nature will speak to them in sacred sounds, unheard before yet immediately comprehensible. With regard to music these madmen cherish quite the most astonishing opinions. They call it the most romantic of all the arts < since its only subject-matter is infinity <a direct quote; get>; the mysterious Sanskrit of nature, translated into sound that fills the human breast with infinite yearning; and only through it can they perceive the sublime song of—trees, flowers, animals, stones, water! (p. 94)

Of course, it is to himself that Hoffmann (as the fictional Kapellmeister Johannes Kreisler¹³) is referring as one who views music as “the most romantic of all the arts” and as revealing the Absolute in the “Temple of Isis.”¹⁴ Though hardly necessary, Hoffmann says exactly that at the end of his satire when he admits that “to my private horror I feel a certain kinship with them <artists>. Satan whispers in my ear that much of what I have intended so sincerely could well appear to them as wickedly ironic.” And so, underlying this seemingly playful piece is an equally serious one, however much it is clothed in “wicked irony.” For it is precisely this opposition between

13 Hoffmann’s “Kreisleriana” is a loose collection of letters and essays in which the author’s fictional alter-ego, the gifted composer Johannes Kreisler, offers numerous insights into his craft. The cycle is collected in *E.T.A. Hoffmann’s Musical Writings*, ed. Charlton (Cambridge: Cambridge University Press, 1989).

14 According to Charlton, Hoffmann’s Kreisleriana was modeled on Novalis’ *Die Lehrlinge zu Saïs* (*The Novices at Saïs*), which takes a more positive view of lifting the veil of Isis (the Absolute) than had Schiller’s earlier poem about the same subject. (Charlton neglects to mention that Schiller’s poem was itself preceded by Kant’s reference to the subject mentioned in the present work.)

music as freedom *from* the rigors of ordinary life and freedom *from* the rigors of attaining a higher life that led Hoffmann to become one of the first to champion the works of his contemporary Beethoven in precisely those terms.

In “Beethoven’s Instrumental Music” (1813) Hoffmann/Kreisler makes clear that he is the very sort of romantic who takes music more, as opposed to less, seriously than those whom he had satirically mocked in the preceding essay:

Music reveals to man an unknown realm, a world quite separate from the outer sensual world surrounding him, a world in which he leaves behind all precise feeling in order to embrace an inexpressible longing.
(p. 96)

According to Hoffmann, Beethoven’s absolute instrumental music is freed from any objective understanding whatsoever “since its only subject matter is infinity.” In our terms, Beethoven’s music represents “positive freedom” is not only being freed from anything finite but also in expressing freedom for a higher, “infinite” truth that, while it cannot be known as such, is all the greater in expressing what can never be known. If Hoffmann, in this essay on instrumental music, is thus led to reject “program music” as “ridiculous aberrations,” his embrace of opera—indeed, he wrote a number of highly successful ones himself—cautions one against taking this too seriously, for even so-called “program music” can be absolute if it is not limited to its “objective correlate” for example, Debussy’s *La Mer*, which is at once descriptive and, at the same time, “pure music”). Indeed, as I have discussed elsewhere,¹⁵ Hoffmann’s pronounced “synaesthetic” tendencies—whether “neurological” or not—led him to describe Beethoven’s fifth, C minor Symphony in precisely those “quasi-programatic” terms: “[...] suddenly a friendly figure moves forward and shines brilliantly through the dreadful darkness of night (the attractive theme in G major that was first touched on by the horns in E flat major)” (p. 99).

If Beethoven is “the sublimest of composers,” it is important to expand on Hoffmann’s use of this important term here and, indeed, throughout his writings. Romanticism was the “golden age of the sublime” due to its accelerated importance after Kant devoted half of his treatise on aesthetics (the 3rd *Critique*) to the more noumenal, as opposed more phenomenal, moments of beauty. The so-called dichotomy between beauty and the sublime (which, as mentioned, Schelling and others rightly rejected) is, in reality, a “difference without a difference,” for while one can certainly appreciate the difference

15 P. Gordon, *Synaesthetics* (New York: Bloomsbury Academic Press, 2020).

between Beethoven and other, less “sublime” composers that both preceded and followed him, this is not to say that everything beautiful is not ultimately sublime and vice versa.¹⁶ After all, beauty is as “disinterested” in the real world as is sublime, while, conversely, the sublimity of “genius” (discussed in the *Analytic of the Sublime*) is also required of those who create beautiful artworks. Thus “absolute music”—whether deemed beautiful or sublime—is the logical result of this turn towards a recognition, beginning with Kant, that all art is absolute in its separation from anything real, useful, or objective. Indeed, if Kant defines the “most sublime utterance” ever as the words inscribed upon the temple of Isis—“I am all that is, that was, and that ever will be, and no mere mortal hath lifted my veil”—it is no surprise that Hoffmann used exactly the same words to describe Beethoven:

The master seems to be implying that the deeper mysteries can never be spoken of in ordinary words, even when the spirit feels itself joyfully uplifted in moments of intimate familiarity with them, but only in expressions of sublime splendor. The dance of the High Priests of Isis can only be a hymn of exultation. (p. 102, underlining mine)

The first four notes of Beethoven’s Fifth Symphony, which Matthew Guerrieri has referred to as the most memorable phrase in music,¹⁷ epitomize nothing less than the essence of sublime, positive freedom itself. One reason for this is that, without warning, the powerful staccato of those notes (-ggg/e^b/), which can refer equally to the spirit of those freedom fighters in WWII¹⁸ as well as to the abrupt machine-gun fire of those who gunned them down, is what one would expect at the end, the coda, of a movement, or of the entire symphony itself.¹⁹ To hear it at the outset is thus the first, and most important,

16 See footnote #8.

17 *The First Four Notes: Beethoven’s Fifth and the Human Imagination* (New York: Knopf, 2012).

18 As is well known, the four notes became, literally, the sound of freedom when it was discovered that the Morse Code for “V,” which referred to victory among the Resistance, was three shorts and one long. <https://www.npr.org/sections/deceptivecadence/2012/11/19/165495617/beethovens-famous-4-notes-truly-revolutionary-music>.

19 After writing this I found confirmation in Hoffmann’s own assessment:

The perfect composure of spirit engendered by the succession of closing figures is destroyed again by these detached chords and rests, which recall the separate strokes in the symphony’s Allegro <sc ta-ta-ta-TAAA> and place the listener once more in a state of tensions. They act like a fire that is thought to have been put out but repeatedly bursts forth again in bright tongues of flame. (p. 250)

indication that the usual order of things, as Nietzsche would maintain decades later, must be reversed, not for the sake of reversal, but in order to arrive at an absolute that is the ultimate reversal of everything separate from the One that underlies the All.

This notion of the One is, in fact, the main idea that is repeated throughout Hoffmann's important essay (not part of the *Kreisleriana*) on the Fifth Symphony, important not only because it was written less than two years after the work's premier in December 1808 but also because it is still widely acknowledged as "the critical benchmark to which all others must relate [...] the most remarkable achievement of its kind; it has always been recognized as such; and it is still yielding to new, intensive study" (pp. 234–235). And as the editor who wrote those words is quick to note, Hoffmann's repeated references to "the One" are "textbook" German Idealism:²⁰

Novalis had shown the interrelatedness of phenomena, whether stones, clouds, birds' eggs, or the inward awareness capable of seeing their relation. An infinitely poeticized awareness would thus reveal an infinite and unified poetic world. Moreover, it was orthodox belief, facilitated by Schelling's writings, that "since the work of art is fashioned by the same formative principle as is the totality of all things, it must be a perfect microcosm of all creation, just as the cosmos at large constitutes a vast work of art." In this deeper sense, Beethoven's Fifth Symphony (through Hoffmann's review) reveals the truth of Schelling's and Novalis's world view [...]

In Hoffmann's own words:

The heart of every sensitive listener, however, is certain to be deeply stirred and held until the very last chord by *one* lasting emotion, that of nameless, haunted yearning. Indeed for many moments after it he will be unable to emerge from the magical spirit-realm where he has been surrounded by pain and pleasure in the form of sounds. As well as the internal disposition of orchestration, etc., it is particularly the close relationship of the individual themes to each other which provides the unity that is able to sustain *one* feeling in the listener's heart. (p. 250, italics Hoffmann's)

20 E.T.A. Hoffmann's *Musical Writings*, ed. Charlton (Cambridge: Cambridge University Press, 1989), p. 15.

Whereas, as Hoffmann goes on to say, “the One” is often implicit in Mozart and Hayden, in Beethoven there is “a deeper relationship that is not demonstrable in this way <that> speaks only from the heart to the heart [...]” (p. 251). If Beethoven’s music, even more than that of Mozart and Hayden, embodies the selfsame Absolute that is, according to Schelling and other Idealists, the essence of all art, that is because it lifts the listener up and away from anything real or ordinary. That is why, anticipating Nietzsche’s key notion of Dionysian “suffering” (*Leiden*), Hoffmann insists that the listener is “unable to emerge from the magical spirit-realm where he has been surrounded by pain and pleasure in the form of sounds.” Such pain and suffering, as in Nietzsche, needs to be understood as the state of Oneness in which the ecstatic joy of Beethoven’s music is, at the same time, the painful “realization” that this “magical spirit-realm” is, in fact, not our world. Rather, it is where our freedom *from* our mortal existence yields to our freedom *for* the Absolute.

Beethoven’s music, in the words of Hoffmann’s alter ego, the Kantian genius Kreisler,²¹ is thus not of this world but, rather, harkens us to a higher realm of Being that, as we have argued throughout this work, is the essential goal of absolute, positive freedom:

Beethoven’s mighty spirit (had) confronted me, and seized me as if with arms of red-hot metal, and carried me off to the realm of the mighty and the immeasurable that is revealed by his thunderous sounds. [...] Who can describe the feeling that surged through me! [...] Everything was forgotten and I simply listened in rapture to the sounds that held me in their consoling embrace as though they were transmitted from another world. (pp. 88–89)

If the burdens of existence and, indeed, of mere existence itself, makes us all like Sisyphus chained to his rock, it is also the case that, like Sisyphus, we are capable of being freed from the weight of that rock whenever we float above mere existence in listening to Beethoven or when, in the case of Sisyphus, he ceases to care about anything that would keep him from becoming a god himself. In the case of Sisyphus, the price of such freedom from mere existence—including, again, the existence of God or the gods themselves—is the tragic annihilation of one’s mortal life while, in the case of Kreisler, it is one’s mortal sanity:

Poor Johannes <Kreisler> had been generally regarded as insane for some time, and to be sure, his doings and dealings, particularly his artistic

21 Hoffmann’s description of Kreisler (e.g., pp. 79 ff.) fits perfectly Kant’s definition of genius discussed earlier in this work (Chapter 2).

activities, contrasted so sharply with all that is held to be reasonable and proper, that his mental disintegration could hardly be doubted. His thought-processes became increasingly eccentric and disjointed [...] “ [...] you <Kreiser> have long been suspected of madness, brought on by a love of art that rather too obviously exceeds the norm which the so-called rational world preserves for measurements of that sort” (pp. 123–125).

No one should ever valorize insanity, for the sufferings that the unfortunate soul must endure in such circumstances are, indeed, terrifying. But some new light might be shed on the old saw of the “insane genius” by considering it in the context of the opposition between negative and positive freedom. Negative freedom, which is defined in opposition to reality, is less likely to lead to insanity because it is still largely a function of the reality from which it is freed, whereas positive freedom, which we have seen is synonymous with the internalization of the divine or absolute within oneself, must involve some degree of “god-complex” within oneself and, thereby, involve some degree of “insanity,” although that “some degree” might or might not lead to the total loss of sanity described here.

To state that freedom is the ultimate reality, the Absolute, would probably be conceded by even the most hard-headed analytic philosopher, who would simply shrug both off as the proverbial “black cows at night.”²² That is to say, both are thinkable but unknowable as such given their freedom—the freedom of freedom, as it were—from any objective determination that would necessarily contradict their very essence as freedom from such objectivity. However, as we have noted throughout this work, this does not mean that such notions cease to matter; indeed, one might argue to the contrary that they are the only things that really do matter. One could easily argue that art, for example, doesn’t really matter when compared to the more serious matters occupying us in reality, but one could also argue that art and the other forms of “positive freedom” are all that really matters not despite, but because of their attention to the “higher things” in life. All art is sacred art (Benjamin), just as all music is sacred music:

Intimations of ultimate reality which enkindle sacred sounds in the breast of man are themselves the ultimate reality, which speaks through the universally faith and love. The words associated with the singing are only incidental and for the most part contain only pictorial suggestions [...] (p. 153)

22 Such was Hegel’s famous dismissal of Schelling’s metaphysics.

The “true genius,” and for Hoffmann that means Beethoven, is the one who communicates this “ultimate reality” to those of us who are fortunate enough to have “ears to hear”:

The true genius does not presume to impress by artificial artistry, which becomes painful non-art; he merely follows the dictates of his inner spirit [...] “[...] so long as genius resides in him, his thorough acquaintance with the works of the masters will soon give him a mysterious rapport with their spirit, and that this will arouse his latent powers, even induce a state of ecstasy, in which he awakens as from torpid sleep into new life, and perceives the extraordinary sounds of his own inner music.” (p. 159)

“With these few words of wisdom I now deliver you [...] at the gates of the Temple of Isis” (*Johannes Kresler’s Certificate of Apprenticeship*, p. 165). And, to underscore the importance of this reference to the “Temple of Isis,” it should be noted again that Beethoven kept the famous saying of the goddess Isis—“I am all that is, and was, and ever will be [...]”—“under glass on his worktable.”²³ If, as we have argued, all art is sacred art, that must mean that art is the ultimate embodiment of freedom *for* something greater than ourselves.

23 Kinderman, p. 8.

Chapter 9

FRIENDSHIP AS FREEDOM

“For without friends one would not choose to live,
though (s)he had all other goods”
(Aristotle, *Nicomachean Ethics*, Bk. 8)

“Oh my friends, there are no friends”
(Diogenes Laertius, attributed to Aristotle)

The age-old existence of friendship has garnered considerable attention in the last few decades in books, films, everyday life, and even in certain highly sophisticated postmodern critical circles which have been drawn to its unusual status as both commonplace as well as enigmatic. “Oh my friends, there are no friends” as Aristototele reportedly declared, leaving theoretical geniuses like Jacques Derrida, Giorgio Agamben, and Jean-Luc Nancy to ponder the simultaneity of its assertion and its denial. This curious doubling which “denies itself as such”¹ can never be fully resolved, but we will try to elucidate the question further here by examining friendship in its relationship to freedom.

Although it might appear, at first glance, that friendship and freedom are diametrically opposed, that is but the first of many ways that friendship denies its own reality. In fact, the two seemingly disparate notions are not only closely related but they are also etymologically related:

From Middle English *friend*, *freend*, from Old English *frēond* (“friend, relative, lover”, literally “loving[-one]”), from Proto-Germanic **frijōndz* (“lover, friend”), from Proto-Indo-European **prēy-*, **prāy-* (“to like, love”), equivalent to *free* + *nd*²

Old English *freo* “exempt from; not in bondage, acting of one’s own will,” also “noble; joyful,” from Proto-Germanic **friez* “beloved;

1 My formula for doubling. See *The Critical Double: Figurative Meaning in Aesthetic Discourse*.

2 <https://en.wiktionary.org/wiki/friend>.

not in bondage” (source also of Old Frisian fri, Old Saxon vri, Old High German vri, German frei, Dutch vrij, Gothic freis “free”), from PIE *priy-a- “dear, beloved,” from root ***pri-** “to love.”

The sense evolution from “to love” to “free” is perhaps from the terms “beloved” or “friend” being applied to the free members of one’s clan (as opposed to slaves; compare Latin liberi, meaning both “free persons” and “children of a family”). For the older sense in Germanic, compare Gothic frijon “to love;” Old English freod “affection, friendship, peace;” friga “love;” friðu “peace;” Old Norse friðr “peace, personal security; love, friendship;” German Friede “peace;” Old English freo “wife;” Old Norse Frigg, name of the wife of Odin, literally “beloved” or “loving;” Middle Low German vrien “to take to wife;” Dutch vrijen, German freien “to woo.”³

Note that a third “Proto-Indo-European” root (*pri) is at the basis of both “friend” and “free,” namely, “to like, love.” (We will ignore, but only for the moment, the blurring of a distinction between friend and lover that will continue to inform, if not bedevil, the discourse on friendship up to and including the present.) That liking or loving is the basis of friendship is no surprise, but what is surprising is the relation of both to freedom. Rather than being the sort of bond or obligation that we often associate with friendship, it is, again, the opposite; namely, it either emanates from a certain sense of freedom or peace (“German *Friede*”) or, contrariwise, friendship is associated with a certain sense of freedom or peace.

The implications of this truth, this *etymo*-logical connection between friendship, freedom, and joy (or even love), are great, for we have found a linguistic way to resolve the problem of how freedom can be related to friendship when it appears to be its opposite. Friendship is freedom, and freedom is friendship, and both are united by the strong sense of joy, or even love, that underlies them both. And yet, as powerful as this explanation of the links between friendship and freedom is, it is important to confirm this linguistic connection by exploring some of the most famous theories and examples of friendship, beginning with Homer’s *Iliad* and ending some 3000 years later with Ridley Scott’s *Thelma and Louise* (1991), with attention to numerous other important works and writers along the way.

The Iliad. Paramount among the many ways that Homer’s two epics constantly reaffirm their genius is how the author humanizes such grandiose

3 <https://www.etymonline.com/word/free>.

events as a 10-year war between nations and a 10-year voyage to return home. In the case of the former, there are really two different storylines at work, the first that of the war between the Greeks and the Trojans to recover the abducted queen of Sparta, the second, a very different tale concerning a petulant young warrior's refusal to continue doing battle because of a slight to his ego. Indeed, the very first word of Homer's epic, *ménis*, refers to this slight, but it has a particular meaning in the epic and to the Greeks in general that will turn out to be particularly important here. *Ménis* refers to the anger a god or godlike mortal feels when he or she is not treated with respect. Contained within Homer's epic of war, then, is the story of Achilles' angry refusal to continue fighting because of the lack of respect shown him by Agamemnon, a refusal that continues throughout most of the epic until the death of his "great friend" Patroclus (p. 351⁴).

Achilles' godlike status is of particular importance here because it is an essential ingredient in this, the first and in many ways the defining discourse on friendship in the Western tradition. Alexander the Great's friendship with Hephaestion was expressly modeled on this relationship, which became, for all intents and purposes, synonymous with the ideal of friendship in the classical world and later. If the godlike status of Achilles and Alexander is essential to their friendships, is it not because friendship is already defined as something divine? Let us examine a bit more closely the relationship between Achilles and Patroclus, then, for evidence of this connection.

Nearly all writers on friendship, including Aristotle and Montaigne, have maintained that one must be willing to die for one's friend. Whether or not this is an impossible ideal, since it is the ideal we are talking about this remains a defining feature of great, "best" friendship since first appearing here in Homer's *Iliad* and continuing to the present in such works as *Thelma and Louise*. Indeed, one might well wonder whether the ideal, which is seldom realized except in art, is not an effect, rather than a cause, of its famous prototype. Be that as it may, the *Iliad* takes this notion even further insofar as Achilles not only dies for his "great friend" but he also dies because his friend was killed while impersonating him in battle. And, lest there be any doubt that friendship is at the very heart of Homer's epic, this:

My greatest friend is gone: Patroklos, comrade in arms, whom I held dear above all others—dear as myself—now gone [...] I must reject this life, my heart tells me, reject the world of men, if Hektor does

4 The *Iliad*, tr. Fitzgerald (Anchor Books, Garden City: 1975).

not feel my battering spear tear the life out of him, making him pay in his own blood for the slaughter of Patroklos!

Letting a tear fall, <his mother> Thetis said: “You’ll be swift to meet your end, child, as you say: your doom comes close on the heels of Hektor’s own” [...]

“May it come quickly. As things were, I could not help my friend in his extremity [...]” (Bk XVIII, p. 438, underlining mine)

Two things stand out in this original example of friendship that will continue unabated throughout the history—the story—of friendship. First, there is the near total identification with the friend in question. This is demonstratable here when Achilles says Patroklos is “dear as myself,” and this close identification between the two is also evident in Patroklos’ donning Achilles’ armor in order to impersonate him. Patroklos’ death is, therefore, seen as synonymous with Achilles’ own. Second, there is the notion that such friendships represent something divine, that is, something more important than life itself, and so something worth dying for.

As we have seen, positive freedom also involves the “friendship” with something higher; it too is an impossible ideal whose reality is precisely that of its impossibility. It is not a product of the ego, the “I” in its ordinary sense, but rather in the Fichtean sense of another, higher “I” that is the very essence of I-dealism in its pursuit of the origin of things, rather than of the ordinary things themselves. And so, despite the vulgarization of friendship in everyday life (e.g., “Facebook Friends”), it is important to keep in mind that friendship represents positive freedom *for* something higher than ourselves, and so something worth dying for.

While discussions of friendship often focus on its various characteristics once the friendship is made, it is well worth asking what causes the friendship to be made in the first place. How does one choose one’s friend, or does one choose one’s friend at all? What is the origin, not of friendship in general, but of specific friendships? Or, as Socrates himself puts it, “I don’t even know how one person becomes the friend of another, which is exactly what I want to question you about, since you have experience of it.”⁵

Lysis. If the *Lysis*, Plato’s dialogue about friendship just quoted, is any indication friendship begins, much the same as love begins, with physical attraction. Indeed, the dialogue also mirrors this trajectory, for the real starting point of the discussion is some rather shady business having to do with Socrates inserting himself into the relationship between one Hippothales and

5 *Lysis*, tr. S. Lombardo in *Plato: Complete Works*, ed. J. M. Cooper (Hackett, 1997), p. 11.

his would-be friend/lover Lysis. After a “Prologue” in which Socrates meets up with Hippothales and his friend Ctesippus Socrates suggests that in order for Hippothales to succeed in befriending the extraordinarily good-looking Lysis he, Socrates, should talk to the boy: “[...] if you’re willing to have him talk with me I might be able to give you a demonstration of how to carry on a conversation with him [...].” Unless one is to believe that Hippothales could actually learn how to converse with Lysis by listening to Socrates’ celebrated elenchus, Socrates’ real motive here is to win Lysis for himself or, at the least, to enjoy conversing with the “best-looking” boy among this circle of acquaintances.

It is well worth keeping this context here in mind—not least because, as we shall see, the dialogue yields nothing in the way of any real understanding of friendship: “Now we have done it,” declares Socrates at the end of the Dialogue, “made fools of ourselves, I, an old man, and you as well. These <other> people here will go away saying that we are friends of one another—for I count myself in with you—but what a friend is, we have not yet been able to find out.” Aristotle’s famous statement, whether spurious or not, seems confirmed, for while there *are* friends and friendships (“these people say we are friends of one another”), “there are no friends”: “what a friend is, we have not yet been able to find out.” What is indisputable here is that friendship begins with the feeling of love for one another and that the entire philosophical enterprise—which begins on the way “between the Academy and the Lyceum” (see the discussion of the beginning of “academia” in Chapter 5—begins with a feeling that is not only the basis of friendship but also is the basis of a dialogue about friendship.

Despite the failure of the dialogue to define friendship, we are reminded of the etymological connection of friendship with joy (*Freude*), freedom, and love. Friendship, it would appear, is not only connected to freedom etymologically, it is inherently linked to freedom by virtue of its freedom from any understanding as well as by the freedom with which friendships spontaneously begin. Although it is possible to cite many characteristics of friendship, and while there is no shortage of writings and other works about friendship, the origin of friendship, like the “origin of the work of art,” can never be known or understood as such. For, like other examples of “positive freedom,” it is our link to an “absolute within” that defines us, we do not define it.

In the dialogue about friendship that ensues after Socrates has entered the gymnasium where Lysis has been “working out” we move from the question of *how* friendship begins to *why* it exists at all. Although this is closer to later discussions of friendship which focus on its many secondary characteristics,

this is still a rather abstract discussion that ultimately leads nowhere. One of the questions that is addressed repeatedly in this dialogue concerns the potential use-function of friendship—something that Aristotle and others will later strongly disavow. Although Socrates mentions a whole host of people and groups of people that we would probably not consider friends *per se*, his broader definition includes all those, like parents and physicians, who have helped us in such a way that we are grateful, ultimately if not presently, for their assistance. Friendship thus defined is something useful, and although Socrates considers but finally rejects most definitions of the “why” of friendship, he never abandons this use-function; even at the end of the dialogue, when he has rejected pretty much every notion of friendship (“if none of these is a friend, then I have nothing left to say”), he still declares that “to admit that the useless is a friend would strike a sour note” (p. 24).

The notion of usefulness, and friendship being necessarily “for the sake of something,” is one of the few constants running throughout this dialogue on friendship. At the outset of the conversation, for example, Socrates insists that we are (obviously) friends to the good and that good is something useful:

Well, then, are we going to be anyone’s friend, or is anyone going to love us as a friend in those areas in which we are good for <the sake of> nothing?

Not at all.

So it turns out that your father does not love you, not does anyone love anyone else, so far as that person is useless. (p. 9)

It is here, in this discussion of friendship as necessarily useful, that the Dialogue explicitly addresses freedom, which Socrates defines in purely negative terms: “Do you think a man is happy if he’s a slave and is not permitted to do whatever he likes?” (p. 6). We will ignore, for the moment, the problem with this statement (as Schopenhauer argued, a prisoner might be as free as a wealthy man⁶) in focusing on how this vitiates the entire argument about friendship as useful. Although Socrates argues that freedom is doing whatever

6 “When, however, an external cause or inward disposition suddenly raises us out of the endless stream of willing, and snatches knowledge from the thralldom of the will, the attention is now no longer directed to the motives of willing, but comprehends things free from their relation to the will [...]. It is then all the same whether we see the setting sun from a prison or from a palace.” *The World as Will and Representation*, tr. Payne (New York: Dover, 1969), vol. 1, pp. 196–197.

one likes, he also maintains that to be truly free one must first prove oneself capable of doing what is best (“positive freedom”):

In those areas where we’re really wiser [...] everybody will trust us, and there we will act just as we choose, and nobody will want to get in our way. There we will be free ourselves [...] there things will belong to us, because we will derive some advantage from them [...]. But if you become wise, my boy, then everybody will be your friend; everybody will feel close to you, because you will be useful and good. If you don’t become wise, though, nobody will be your friend, not even your father or mother or your close relatives. (p. 9)

Again, we will ignore the obviously false part of this statement (e.g., “if you become wise then everybody will be your friend,” and, conversely, that if you are not no one—not even your relatives—will befriend you) and focus on what Socrates gets right about the connection between positive freedom and friendship. Positive freedom, as we have argued throughout, is not doing “whatever one likes” but, rather, doing what is best. And it is in doing what is best and acting in accord with positive freedom that leads to what we might call “positive friendship,” sc. friendship that is in keeping with the pursuit of such freedom. (One might also argue that such “wisdom” is inherently attractive to others and bound to lead to the sort of friendship that Socrates is struggling to understand.) But where Socrates errs is in equating such wisdom, such positive freedom and positive friendship, with what is “useful” or “advantageous.”

Aristotle. Aristotle and those who follow him in this discourse on friendship tend to ignore the “how” and “why” of friendship that caused Socrates to become “a little groggy from the discussion” (p. 24) by eliminating the mistake of thinking friendship was useful. In fact, its uselessness is elevated to the first principle in Aristotle’s far more “principled” discussion:

Now those who love each other for their utility do not love each other for themselves but in virtue of some good which they get from each other [...] and thus these friendships are only incidental [...] and are easily dissolved. (p. 1060)⁷

“Perfect friendship,” according to Aristotle, “is the friendship of men who are good, and alike in virtue; for these wish well alike to each other *qua* good, and

7 *Nicomachean Ethics*, in *The Basic Works of Aristotle*, ed. McKeon (New York: Random House, 1970).

they are good in themselves” (p. 1061). The “good,” in Greek as in English, is notoriously vague, and although Aristotle nowhere specifies what he means by the term in this context, that is precisely the point, and precisely the point where friendship can be said to coincide with positive freedom. For if friendship were based on something more objective—and what is more objective than the kind of usefulness that Aristotle belittles relative to a “perfect friendship”?—then it would not be synonymous with what we have seen is the common denominator of all forms of positive freedom, namely, that of the “absolute within.”

Everything else that Aristotle says about “perfect friendships” follow from this notion of friendship as absolute and so “without qualification.” Even the more sensual component about which so much was said in Plato’s dialogue is here subordinated to the ideal “good”:

The truest friendship, then, is that of the good, as we have frequently said; for that which is without qualification good or pleasant seems to be lovable and desirable, and for each person that which is good or pleasant to him; and the good man is lovable and desirable to the good man for both these reasons. (pp. 1063–1064)

Such friendships are necessarily few and far between (*pace* Facebook), and, if one is fortunate enough to have friends, it is impossible to have very many given the “absolute” nature of such a relationship:

One cannot be a friend to many people in the sense of having friendship of the perfect type with them just as one cannot be in love with many people at once (for love is a sort of excess of feeling, and it is the nature of such only to be felt towards one person. (p. 1064)

It is worth noting here that while the distinction between love and friendship is blurred in Plato’s dialogue here it is clearer, although it also “muddies the waters” a bit insofar as the two are closely related. This carries over into our more modern notions of the two, where one might (and perhaps even must) be friends with one’s lover, but not lovers with one’s friends. Which leads one to question whether love is also a “zone” of positive freedom the way that friendship is. For Aristotle, and probably most would agree with him, love, which is more based on sensual desire, cannot elevate itself towards the highest goal of friendship as the “good” or “absolute within”: “Now it looks as if love were a feeling, friendship a state of character.” But, lest this appears to speak ill of love, it should be added that the sexual, or sensual component of love can be (as in the case of Plato’s *Lysis*) combined with friendship of the highest order, although the converse is rarely true.

While friendship might seem to be even more unrelated to *justice* insofar as the latter implies rules whereas the latter has none, justice is, according to Aristotle, a form of friendship insofar as one considers the other “to be fair and equal” (1071). This is why “*Qua* slave then, one cannot be friends,” but *qua* man one can:

[...] for there seems to be some justice between any man and any other who can share in a system of law or be a party to an agreement; therefore there can also be friendship with him in so far as he is a man. Therefore while in tyrannies friendship and justice hardly exist, in democracies they exist more fully; for where the citizens are equal they have much in common. (p. 1071, underlining mine)

The justice that emanates from the state of friendship, and vice versa, is thus not about rules or laws *per se* but, rather, the sense of communality that causes one to act fairly towards the other, not because it is imposed from without, but because it is desired from within. One sees clearly here the seeds of Kant’s insistence on a higher morality that is not based on following rules but, rather, on treating the other as oneself. And, also as in Kant, this higher morality of friendship is a kind of positive freedom insofar as it is most likely to exist, according to Aristotle, in a democratic system where individuals create their own system of justice from within. (Berlin’s fear that positive freedom leads to tyranny (Chapter 1) is expressly rejected here by Aristotle.) An example of this sense of justice will be discussed later, when *Thelma and Louise* where Louise forgives Thelma for recklessly losing all their money.

Finally, it is often thought that friendship and the solitary pursuit of goodness or perfection which we have identified with positive freedom are diametrically opposed, but Aristotle rejects this notion, albeit with a certain caveat. The “lover of self” who seeks the highest good for oneself is to be distinguished from the more egoistic person who is “selfish,” for the former is in fact “selfless” in using his or her positive freedom to pursue the highest “good.” But just as these are two very different “lovers of self,” these are two very different kinds of friends. The selfless “lover of self” is only capable of what Aristotle refers to as a “perfect” friendship if that is based on freedom for something noble, whereas the former is only capable, at best, of one of the lesser forms of friendship mentioned by Aristotle, such as those based on usefulness or amusement. The cliché about how “one must love oneself before one can love another” is perhaps better stated as “one must love oneself before one can befriend another,” for the “perfect” friendship—the only kind that matters here—is based on

one's own perfection being mirrored in another, and so what might appear as a "sacrifice" for the other is, in fact, a benefit to oneself:

The same is true of honour and office: all these things he will sacrifice to his friend; for this is noble and laudable for himself. Rightly then is he thought to be good, since he chooses nobility before all else. But he may even give up actions to his friend; it may be nobler to become the cause of his friend's acting that to act himself. In all the actions, therefore, that men are praised for, the good man is seen to assign himself the greater share in what is noble. In this sense, then, as has been said, a man should be a lover of self [...] (p. 1088)

Montaigne. Of all writers on friendship, Michel de Montaigne (d. 1592) is perhaps the most enthusiastic. Montaigne's particular enthusiasm for friendship occurs naturally as opposed to being a matter of culture or, for that matter, anything logically construed, such as the aforementioned examples of usefulness. For Montaigne, proximity to nature is always a measure of something's or someone's virtue (see his famous defense of "primitive" cultures in "On Cannibals"), and so friendship, which might be said to create culture rather than the converse, is one of the many instinctual forms of behavior which Montaigne is inclined to praise over such cultural constructs as law, medicine, logic, etc.

Montaigne also frames his essay *On Friendship*⁸ with references to a treatise "in praise of liberty and against tyrants" by la Boétie, who was also Montaigne's greatest friend:

I owe a particular debt to this treatise because it was the means of our first acquaintance. For it was shown to me a long time before I met him, and gave me my first knowledge of his name, thus preparing the way for that friendship so complete and perfect that its like has seldom been read of, and nothing comparable is to be seen among the men of our day. So many circumstances are needed to build it up that it is something if fate achieves it once in three centuries. (p. 92)

Although Montaigne describes his friendship with la Boétie as singular in its goodness, such a "perfect" friendship, as we have seen, is what Aristotle referred to as the rule, and not the exception, of true friendship. And while Montaigne largely fails to make the connection between the treatise that first

8 *Essays*, tr. Cohen (New York: Penguin, 1984), pp. 91–104.

drew him to his closest friend (indeed, its radical nature could not have been fully embraced by someone in Montaigne's governmental positions), at the end of the essay Montaigne himself speculates that

I have no doubt that he believed what he wrote, for he was too conscientious to deceive even in jest. I know too that if he had had his choice, he would rather have been born at Venice <a republic> than at Sarlac <part of a monarchy>; and with good reason. (p. 104, underlinings mine)

Framed by these references to his own friendship with la Boétie are several classical references to friendship in general. Yet, despite his usual reliance on references to classical authors, authors who, as we have seen, frequently refer to friendship, "Even the treatises which antiquity has left us on this subject seem flat to me in comparison with my own feeling. For, in this particular, the reality surpasses even the precepts of philosophy" (p. 102). Friendship of the kind Montaigne is describing goes beyond anything that can be defined or even described as such. And so, while Montaigne (as is his wont⁹) explicitly reinterprets Aristotle's "Oh my friends there are no friends" as referring to how less-than-perfect friendships fail to live up to their perfect model, he would doubtless accept a different reading of Aristotle's oracular utterance to mean that perfect friendships exceed understanding: "Such a friendship has no model but itself, and can only be compared to itself [...] it was some mysterious quintessence" (p. 97). However, for Montaigne, ever the humble naturalist (or so he everywhere aspires to be), this "mystery" is grounded in the simple fact that if I am not capable of saying anything about my friendship it is because "I" am no longer merely I: "If I were pressed to say why I love him, I feel that my only reply could be: Because it was he, because it was I." 97

Apart from the "parenthetical" references to la Boétie's treatise on freedom as the origin of their perfect friendship, Montaigne nowhere references freedom in this essay "On Friendship," but it is clear from this and other statements that what he describes as the "perfect friendship" is absolute and so utterly unencumbered by anything real or ordinary, including the ordinary reality of the "I" itself. This is why he can say, with complete confidence, that if his friend asked him to do something horrible,

9 In another essay Montaigne skillfully reinterprets Sophocles' famous state that "One should count no man happy until he is dead" as referring to happiness being determined by the way one dies rather than, as in *Oedipus the King*, referring to the tragic reversal that potentially awaits us all.

such as “killing his own daughter,” he would do so, knowing full well that his friend would never really ask him to do so. If this seems extreme, it is certainly no more so than the famous story of Abraham’s faith in the Lord when God told him to kill his only son. Like religion, which as we have seen is another “zone” of positive freedom, friendship is separate from everyday reality, but, unlike religion, friendship’s “zone” is not a place of worship, but the friend “that is I.”

Nietzsche. Like Montaigne, Nietzsche follows in the footsteps of his classical predecessors regarding the question of friendship but, as one would imagine, takes matters considerably further. Nietzsche, too, defines friendship in opposition to erotic love (this became such a commonplace from Aristotle onwards in the Western tradition that one might well find oneself pining for Plato’s simpler conflation of the two), and in doing so clearly associates friendship with the pursuit of something beyond what he sees as the avaricious desires of sexual love:

[...] indeed, that this <sexual> love has furnished the concept of love as the opposite of egoism while it actually may be the most ingenuous expression of egoism. [...] <However> Here and there on earth we may encounter a kind of continuation of love in which this possessive craving of two people for each other gives way to a new desire and lust for possession—a shared higher thirst for an ideal above them. But who knows such love? Who was experienced it? Its right name is friendship.¹⁰

Freudians might pounce on this “new desire and lust for possession” as merely a sublimated form of the “old desire,” sc. eros. To which one might reply that this is precisely the point: even if it is the sublimation of erotic desire, the desire is now directed towards the other’s mind as opposed to their body, and by “the other’s mind” one means, as Nietzsche points out, the “shared ideal of something higher” or, in our terms, of something absolute. As Montaigne also noted, the true friend is not separate from oneself and therefore the desired possession, as in erotic love, but the discovery of another “I” who is the same “I.”

Although the possibility of such “perfect friendships” haunts all these writers, it would be wrong to label it as a lesser “zone” of positive freedom than any of the others we have mentioned. In another aphorism (#61) of

10 *The Gay Science*, tr. Kaufman (New York: Vintage, 1974), Book One, #14, p. 89.

The Gay Science Nietzsche addresses this very issue when he tells the story of the Macedonian king who gave a typically world-weary philosopher a gift of some money, which the philosopher promptly refused. Both the king as well as Nietzsche himself proceeds to chide the philosopher for his unwillingness to acknowledge the other's "higher feeling" of friendship. But even if friendship involves a greater degree of worldliness than that of the "solitary philosopher," it must still be "one of the two highest" feelings, that is, it must be as "soulful" as it is material. And, in this respect, one might also consider this aphorism itself as an allegory of friendship, which is a more "worldly" manifestation of positive freedom than others mentioned here.

Nietzsche's interpretation of the famous statement by Aristotle ("Oh my friends there are no friends") in *Human All-Too-Human*¹¹ adds yet another dimension of understanding to the paradox. Unlike Montaigne, who interpreted the statement as either an acknowledgment of the rarity of true friendship or as the logical consequence of the identity ("He is I") of "best friends," Nietzsche rejects the possibility of such an identity because it ignores the ineluctable gap or distance between oneself and any other:

Just think to yourself some time how different are the feelings, how divided the opinions even among the closest friends; how even the same opinions have quite a different place or intensity in the heads of your friends than in your own [...]. After all that, you will say to yourself: "How unsure is the ground on which all our bonds and friendships rest [...] how lonely is every man!"

Moreover, not only are there essential differences between even the closest of friends but also even what one believes to be the basis of their friendships is a lie: "[...] there are, indeed, friends, but they were brought to you by error and deception," and, moreover, there is a "cover-up" by which such friends chose to ignore what they know to be their essential differences:

[...] they must have learned to be silent in order to remain your friend; for almost always, such human relationships rest on the fact that certain few things are never said [...] and once these pebbles are set rolling the friendship follows after, and falls apart. Are there those who would not be fatally wounded, were they to learn what their most intimate friends really know about them?

11 *Human, All-Too-Human*, tr. Faber (Lincoln: University of Nebraska Press, 1996), pp. 193–194.

And yet, despite Nietzsche's frank endorsement of the negative part of "Aristotle's" paradox, the positive part is there as well. For once one has acknowledged the negative truth about friendship it becomes possible to save friendship by basing it, not on the kind of identity envisioned by Montaigne, but on the very lack of friendship, the very enmity, that underlies all friendships:

It is true, we have good reason to despise each of our friends, even the greatest; but we have just as good reason to turn this feeling against ourselves. And so let us bear with each other, since we do in fact bear with ourselves; and perhaps each man will some day know the more joyful hour in which he says:

"Friends there are no friends!" the dying wise man shouted.

"Enemies, there is no enemy!" shout I, the living fool.

In other words, it is the very nonexistence of the kind of "pure friendship" described by Aristotle and others that is the basis of the kind of pure friendship advocated by Aristotle and others. Which, it turns out, is the same paradox informing positive freedom, which is similarly defined as the pursuit of some higher truth, or "absolute within," that would not exist but for the negative truths and "negative freedom" that defines it. "Oh my freedom, there is no freedom!"

Thelma and Louise. American popular culture in the 1990s gave birth to a number of important shifts in the usual hierarchies that did not outlive the decade but whose influence may have forever changed those traditional priorities. For example, in movies, a new type of "villain" appeared who might be referred to as the "criminal super-hero" (not to be confused with the spate of super-hero films and franchises that appeared later). "Prot-ant-agonists" like Hannibal Lector (*Silence of the Lambs*), John Doe (*Se7en*), Catherine Tramell (*Basic Instinct*), and Kaise Söze (*The Usual Suspects*) were as treacherous as can be, but unlike their villainous antecedents, they possessed extraordinary intelligence (in most cases they even managed to write their own films¹²) and, to a man or woman, were able to succeed in their criminal enterprises, thereby reversing the usual capture by the agent of authority who pursued them.

12 In *Basic Instinct*, for example, we learn that Ms. Tramell had already written a novel detailing the murder she later committed and, moreover, is writing another which anticipates the events of the film we are watching. *Seven* and *The Usual Suspects* are also scripted by their prot-ant-agonists, and Hannibal Lector, the ultimate "reader," seems to know everything going on in the film, including the identity of the murderer and that of the FBI agent working with him.

Another important change that occurred during this period reversed the usual subordination of friendship to romantic love. Suddenly, it seems, “Friends” became more important than lovers in television shows (including “Nip/Tuck” and “Sex and the City”) as well as in films like *Thelma and Louise* (1991). To be sure, this was anticipated in the mid- to late-80s by films like *The Breakfast Club*, *Stand by Me*, etc., and carried over into the new millennium with certain “bromances,” but the explicit subordination of love to friendship was largely a function of the 1990s. (An excellent example of how the reversal has itself been reversed is in Quentin Tarantino’s recent *Once Upon a Time in Hollywood*, in which the main characters’ “bromance” is subordinated in the end to a romantic relationship.) I would leave it to others to explain why this happened at that particular time and will focus, here, on the way *Thelma and Louise* updates the notions of friendship discussed thus far, and how the two women’s friendship relates to freedom.

As in the wildly popular series *Sex and the City*, in which it is made explicit that romantic relationships, while important, are secondary to the friendship between the four principal female characters, so too are the various romantic entanglements that occur in and are referenced throughout *Thelma and Louise* take second place to the friendship between the two female protagonists. Indeed, the starting point of this road picture occurs when Louise (Susan Sarandon) shoots the man who is trying to rape her friend Thelma (Geena Davis), who is already in the process of escaping another man, her husband Darryl (played by the typically obnoxious Christopher McDonald). Louise, for her part, has also given up on her on-again, off-again relationship with her boyfriend Jimmy (Michael Madsen), even after he shows up unexpectedly to give them the funds to facilitate their escape. (Funds which Thelma proceeds to lose to a young charmer—Brad Pitt—whom she encounters along the way—but more of that later.)

It is important to note that Louise does not shoot Harlan, the man whom she catches raping her friend Thelma, to stop the assault—he had already desisted when Louise pointed a gun at him. Louise only shoots the assailant after he proceeded to taunt them as they walked away. Applying the usual “Ockham’s razor” rule of interpretation one must ask: why didn’t the writer/director choose the simpler storyline of having Louise shoot Harlan when she caught him in the act of raping her friend? Although we learn much later in the film that Louise had herself been raped years before in Texas and that this influenced her reaction to Harlan’s taunts, this is not really an adequate excuse for, or explanation of, the killing. I would argue that while the simpler plot which would have had Louise killing Thelma’s assailant would have been an example of negative freedom—freedom *from* something—killing Harlan because he taunted her is an act of positive freedom because it represents Louise’s unwillingness to accept

this affront to her dignity, her right to be treated with respect. And if this seems implausible, recall that the first masterpiece of the Western tradition, Homer's *Iliad*, also began, not with the actual abduction of Helen, but with the rage (*mênis*) of Achilles that resulted from Agamemnon's treating him as a lesser human being.

It is also worth noting that where friendship is often defined as a willingness to die for one's friend, this rarely includes a willingness to kill for one's friend unless, of course, that is required to save one's friend, which is clearly not the case here. As in the *Iliad*, where the friendship between Achilles and Patroclus is entirely separate from Achilles' anger with Agamemnon, the friendship between Thelma and Louise exists despite, not because of the killing. Indeed, in both these cases, the friend does not even necessarily agree with the actions that, nonetheless, strengthen a friendship that is not based on anything useful or otherwise objective but, rather, on something absolute.

Just as the crime which begins *Thelma and Louise* is caused by an act of positive freedom, so too the rest of the movie is not merely an act of negative freedom in attempting to escape the authorities but, more importantly, of positive freedom as represented by "*Thelma and Louise's*" deepening friendship (the title is significant in this regard). This is evident in the scene briefly mentioned above where Thelma carelessly loses Louise's life savings and, in doing so, seals their doom. As angry as Louise is with Thelma, it does not undermine their friendship, but only strengthens it, for shortly afterward, and shortly before their final plunge into the Grand Canyon, Thelma tells Louise: "You're a good friend," to which Louise replies (in Susan Sarandon's memorable patois): "You too sweetie, you're the best."

Although Thelma began the film as the more passive of the two, these roles change, or at least level out, by the end when Thelma decides to rob a convenience store to repay Louise and, more importantly, when Thelma suggests that they "keep going" when trapped between a battalion of police cars and the Grand Canyon. Louise agrees, and the rest, as they say, is history, for their condor-like flight into the Canyon, which quickly dissolves into a montage of the highlights of their friendship together, not only leads to their freedom but also to their immortality: the film was recently declared, like the Grand Canyon itself, a national treasure¹³. Freedom *from*, yes, but also freedom *for*, in this case, freedom for each other. For what the film is really about is a friendship that transcends all limits, including the limits of one's self: as Montaigne had stated earlier, "If you ask me [...] I am he," Thelma said early in the film when primping in front of a mirror: "Hi, I'm Louise."

13 In 2016, the United States *Library of Congress* selected the film for preservation in the *National Film Registry*, finding it "culturally, historically, or aesthetically significant," https://en.wikipedia.org/wiki/Thelma_%26_Louise.

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